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EXECUTIVE ORDERS

RELATING TO THE

ISTHMIAN CANAL COMMISSION

MARCH, 1904, TO JUNE 12, 1911, INCLUSIVE



Gift of the Panama Canal Museum

WASHINGTON
1911



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ISTHMIAN CANAL COMMISSION

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TABLE OF CONTENTS.

	Page.
Letter of the President, Mar. 8, 1904, relative to duties of commission.....	1
Order of the President, Mar. 26, 1904, prescribing compensation of commis- sioners	3
Letter of the President, May 9, 1904, placing commission under supervision of the Secretary of War and defining jurisdiction of the commission.....	4
Order of the Secretary of War, June 24, 1904. Establishment and administra- tion of customs service in the Canal Zone.....	12
Order of the Secretary of War, June 24, 1904, establishing postal service in the Canal Zone.....	14
Order of the President, Nov. 15, 1904. Classification of commission under civil-service laws	15
Order of the Secretary of War, Dec. 3, 1904. Importations into the Canal Zone.	17
Order of the Secretary of War, Dec. 6, 1904. Importations into the Canal Zone.	22
Order of the Secretary of War, Dec. 16, 1904, revoking order of June 24, 1904, relative to establishment and administration of customs service in the Canal Zone	23
Order of the Secretary of War, Dec. 28, 1904. Establishment of customs admin- istration in the Canal Zone	24
Order of the President, Dec. 8, 1904, waiving United States citizenship of em- ployees on the Isthmus	26
Order of the President, Jan. 5, 1905, amending civil-service rules applicable to the commission.....	27
Order of the Secretary of War, Jan. 7, 1905. Entries of merchandise at ports of Canal Zone	28
Order of the President, Jan. 13, 1905, appointing Joseph L. Bristow special Panama R. R. commissioner.....	30
Order of the Secretary of War, Jan. 17, 1905, appointing members of joint expropriation commission	31
Order of the Secretary of War, Jan. 19, 1905, amending order relative to mem- bers of joint expropriation commission.....	32
Order of the President, Apr. 1, 1905, reorganizing the commission.....	33
Letter of the Secretary of War, Mar. 30, 1905, recommending reorganization of the commission.....	36
Order of the Secretary of War, Apr. 3, 1905, fixing compensation and allow- ances of commissioners.....	40
Action of commission, Apr. 3, 1905, in connection with its reorganization.....	40
Order of the Secretary of War, Apr. 18, 1905, amending order relative to mem- bers of joint expropriation commission.....	45
Order of the Secretary of War, Apr. 24, 1905, authorizing appropriation from Canal Zone Government funds for contingent expenses.....	46
Order of the Secretary of War, May 31, 1905, amending order fixing compen- sation and allowances of commissioners.....	47
Order of the President, June 8, 1905, appointing S. L. Lupton, F. R. Parks, E. S. Rockwell, William K. West, and Paul C. Norris to positions under the commission	48

	Page.
Order of the President, June 24, 1905, appointing board of consulting engineers..	49
Order of the President, July 15, 1905, prescribing compensation of Joseph L. Bristow	50
Order of the President, Aug. 31, 1905, prescribing compensation of members of the board of consulting engineers	51
Order of the President, Sept. 8, 1905, amending civil service rules relating to removal of employees	52
Order of the Secretary of War, Nov. 5, 1905, prescribing rules and instructions relative to the accounting system of the government of the Canal Zone.....	53
Order of the President, Nov. 15, 1905, authorizing temporary appointments on the Isthmus.....	62
Order of the President, Nov. 25, 1905, amending order prescribing compensation of members of the board of consulting engineers.....	63
Order of the President, Dec. 7, 1905, fixing date for holding quarterly session of the commission	64
Order of the President, Dec. 18, 1905, appointing Miss Anna F. McCormick to to position under the commission	65
Order of the President, Jan. 8, 1906, appointing Ralph Whitman to position under the commission	66
Order of the President, Jan. 12, 1906, revoking order authorizing temporary appointments on the Isthmus	67
Order of the President, Jan. 12, 1906, amending civil service rules applicable to employees on the Isthmus.....	68
Order of the President, Feb. 19, 1906, amending order prescribing compensation of members of the board of consulting engineers	69
Order of the President, Feb. 26, 1906, amending order prescribing salaries and allowances of commissioners	70
Order of the President, Mar. 26, 1906, defining intention of order fixing salaries and allowances of commissioners	71
Order of the President, May 31, 1906, prescribing rules under which appointments, transfers, and promotions on the Isthmus may be made.....	72
Order of the President, June 30, 1906, fixing compensation and allowances of commissioners	73
Order of the President, July 17, 1906, making permanent certain temporary appointments on the Isthmus	74
Order of the Secretary of War, July 27, 1906, amending rule 17 of rules and instructions relative to accounting system of government of Canal Zone....	75
Order of the President, Sept. 20, 1906, fixing date for holding quarterly session of the commission	76
Order of the Secretary of War, Sept. 24, 1906, appropriating funds of the Canal Zone government for school purposes.....	77
Order of the Secretary of War, Sept. 24, 1906, appropriating funds of the Canal Zone government for contingent expenses.....	78
Order of the Secretary of War, Nov. 17, 1906, authorizing purchase of Panaman stamps out of funds of Canal Zone government	79
Order of the President, Nov. 17, 1906, reorganizing the commission.....	80
Order of the President, Feb. 21, 1907, authorizing transfer of John E. Kidwell from Isthmian service to classified clerical position in the United States....	83
Order of the Secretary of War, Feb. 21, 1907, ratifying action of the commission in increasing salaries of employees of the Canal Zone government.....	84
Order of the Secretary of War, Feb. 28, 1907, ratifying acts and resolutions of the commission changing laws of the Canal Zone.....	85

	Page.
Order of the Secretary of War, Feb. 28, 1907, ratifying action of the commission authorizing payment by commission of premiums on surety bonds of employees	86
Order of the Secretary of War, Mar. 4, 1907, placing Joseph B. Bishop, secretary of the commission, in charge of Washington office.....	87
Order of the President, Mar. 4, 1907, appointing John F. Stevens as chairman of the commission and Lieut. Col. George W. Goethals, United States Army, as member of the commission.....	88
Order of the Secretary of War, Mar. 12, 1907, establishing rules for making and recording instruments in writing affecting real property in the Canal Zone	89
Order of the Secretary of War, Mar. 12, 1907, extending United States patent, trade-mark, and copyright laws to the Canal Zone.....	90
Order of the Secretary of War, Mar. 12, 1907, appointing members of joint expropriation commission.....	91
Order of the Secretary of War, Mar. 12, 1907, prescribing regulations for insurance companies doing business in the Canal Zone.....	92
Order of the President, Mar. 13, 1907, providing for the celebration of marriages in the Canal Zone	93
Order of the President, Mar. 13, 1907, dividing the Canal Zone into administrative districts.....	94
Order of the President, Mar. 13, 1907, amending Penal Code and Code of Criminal Procedure of the Canal Zone.....	97
Order of the President, Mar. 14, 1907, refusing permission to aliens to enter continental territory of the United States.....	99
Order of the President, Mar. 16, 1907, appointing Maj. William S. Sibert, United States Army, Maj. David Du B. Gaillard, United States Army, and Civil Engineer H. H. Rousseau, United States Navy, as members of the commission, and fixing their compensation and allowances.....	100
Order of the President, Mar. 18, 1907, amending order relative to allowances for Lieut. Col. Geo. W. Goethals, United States Army, as member of the commission	101
Order of the President, Mar. 22, 1907, promulgating Code of Civil Procedure for the Canal Zone.....	102
Order of the President, Mar. 26, 1907, authorizing transfer of W. P. Armstrong to any competitive position.....	103
Order of the President, Apr. 1, 1907, appointing Lieut. Col. Geo. W. Goethals, United States Army, as chairman of the commission	104
Order of the President, Apr. 1, 1907, appointing Joseph C. S. Blackburn a member of the commission and fixing his compensation and allowances....	105
Order of the Secretary of War, Apr. 2, 1907, vesting authority of governor or chief executive of the Canal Zone in chairman of the commission.....	106
Order of the President, Apr. 15, 1907, amending civil-service rules relative to transfers.....	107
Order of the President, May 31, 1907, providing for celebration of marriages in the Canal Zone.....	108
Order of the President, June 5, 1907, amending civil-service rules relative to transfers.....	109
Order of the President, June 11, 1907, authorizing transfer of George S. Fox from Isthmian service to a classified position in the United States.....	110
Order of the Secretary of War, June 22, 1907, amending act No. 24 of the commission relative to administration of estates of deceased employees on the Isthmus.....	111

	Page.
Order of the President, July 1, 1907, transferring purchase of material and supplies to supervision of Chief of Engineers, United States Army	112
Order of the President, Aug. 3, 1907, revoking order authorizing transfer of George S. Fox to classified position	113
Order of the President, Aug. 12, 1907, fixing salary of Lieut. Col. W. C. Gorgas and Jackson Smith	114
Order of the President, Aug. 15, 1907, reorganizing Washington office of the commission	115
Order of the President, Aug. 15, 1907, reorganizing disbursing and accounting systems	116
Order of the Secretary of War, Aug. 15, 1907, appointing Maj. H. F. Hodges, United States Army, as general purchasing officer of the commission and prescribing approval for vouchers	119
Order of the Secretary of War, Aug. 15, 1907, providing for payment of compensation to Panaman members of the joint tribunal	120
Order of the Secretary of War, Aug. 17, 1907, providing for payment of traveling expenses of B. S. Ambler and Montgomery Blair, members of the joint commission	121
Order of the Secretary of War, Sept. 4, 1907, ratifying contract between the commission and the Republic of Panama respecting water rates in the city of Panama	122
Order of the Secretary of War, Sept. 4, 1907, amending liquor regulations permitting sale in restaurants, hotels, etc.	123
Order of the Secretary of War, Sept. 13, 1907, authorizing payment of \$15 per day to Ramon, Arias F., Panaman member of joint tribunal	124
Order of the Secretary of War, Sept. 13, 1907, amending tax regulations to permit of baseball, etc., without license fee	125
Order of the Secretary of War, Sept. 25, 1907, authorizing purchase of bricks from Rogers & Co., of Baranquilla, Colombia	126
Order of the Secretary of War, Oct. 16, 1907, amending sewer and water regulations	127
Order of the President, Jan. 6, 1908, modifying order of Nov. 17, 1906, reorganizing commission and defining its duties	129
Letter of the Secretary of War, Jan. 5, 1908, transmitting draft of foregoing order to the President	131
Order of the President, Jan. 9, 1908, providing punishment for vagrancy, intoxication, and disorderly conduct in the Canal Zone	132
Order of the President, Jan. 9, 1908, providing for disposition of unclaimed freight and baggage	133
Order of the President, Jan. 9, 1908, dividing the Canal Zone into three judicial districts	134
Order of the President, Jan. 9, 1908, providing for fines to prevent Chinese escaping on the Canal Zone	135
Order of the President, Jan. 27, 1908, amending civil-service Rule VIII on temporary appointments	136
Order of the President, Feb. 6, 1908, establishing jury trials in the Canal Zone	138
Order of the President, Feb. 7, 1908, authorizing reinstatement of Douglas B. Thompson with privilege of transfer to departmental service	140
Order of the Secretary of War, Feb. 8, 1908, restricting gold employees to American citizens	141
Order of the President, Feb. 21, 1908, authorizing appointment of Edwyn N. Purvis, former canal employee, to classified service in the United States	142
Order of the Secretary of War, Feb. 27, 1908, establishing ordinance for driving automobiles in the Canal Zone	143

Order of the Secretary of War, Feb. 27, 1908, fixing charges to be paid by Republic of Panama for care of her indigent sick, lepers, etc., in commission hospitals.....	144
Order of the President, Mar. 31, 1908, amending order establishing jury trials in the Canal Zone.....	145
Order of the President, Apr. 24, 1908, amending laws of Canal Zone making it a misdemeanor to deface or remove boundary or survey monuments.....	146
Order of the Secretary of War, Apr. 25, 1908, transferring certain work from the superintendent of public works to the department of civil administration.....	147
Order of the Secretary of War, May 19, 1908, appropriating Canal Zone government funds for contingent expenses, operation of public works, and for school purposes.....	148
Order of the Secretary of War, July 3, 1908, amending section 321 of the Code of Civil Procedure, providing for the authentication of signatures.....	149
Order of the Secretary of War, July 6, 1908, appointing Capt. F. C. Boggs, United States Army, as general purchasing officer and chief of Washington office.....	150
Order of the Secretary of War, Aug. 6, 1908, fixing compensation of Everett C. Bumpus and Edwin Denby, members of the joint commission.....	151
Order of the Secretary of War, Aug. 6, 1908, fixing compensation of Messrs. Ponce and Fabrega, Panaman members of the joint commission.....	152
Order of the Secretary of War, Aug. 12, 1908, approving resolution of commission authorizing chairman to direct assistant to the chief of office to approve for payment vouchers, etc.....	153
Order of the President, Aug. 14, 1908, amending section 344 of the Penal Code of the Canal Zone, making grand larceny punishable by not exceeding 10 years' imprisonment.....	154
Order of the President, Sept. 10, 1908, appointing members of interdepartmental statistical committee and defining duties.....	155
Order of the President, Sept. 15, 1908, appointing Drs. Hopkins and Cunningham without reference to civil-service rules.....	157
Order of the Secretary of War, Sept. 17, 1908, changing names of certain divisions under the department of civil administration.....	158
Order of the Secretary of War, Sept. 28, 1908, increasing compensation of Everett C. Bumpus, member of joint commission.....	159
Order of the President, Sept. 30, 1908, authorizing the continuance in the service of George Shaffer, Olof Ekedahl, and Willoughby Culbertson without civil-service examination.....	160
Order of the President, Oct. 3, 1908, authorizing retention as part of the classified force eight persons employed jointly by the Panama Railroad Co. and the commission.....	161
Letter of the Secretary of War, Sept. 23, 1908, to the President, transmitting draft of foregoing order.....	162
Order of the President, Oct. 3, 1908, amending schedule A of civil-service rules relating to the commission.....	164
Order of the President, Oct. 21, 1908, amending regulations governing employment of unskilled laborers at Washington, D. C.....	165
Order of the Secretary of War, Oct. 23, 1908, amending order fixing compensation of general purchasing officer and officer detailed for commissary work.....	166
Order of the President, Nov. 7, 1908, repealing sections 44, 45, and 46 of Code of Criminal Procedure of the Canal Zone and permitting appeal from judgment of a district court by defendant.....	167

	Page.
Order of the President, Nov. 9, 1908, amending schedule A of civil-service rules, authorizing certain appointments for isthmian service without examination	168
Order of the Secretary of War, Dec. 23, 1908, amending order restricting gold employees to American citizens	169
Order of the President, Dec. 23, 1908, appointing H. A. Gudger as chief justice of the Supreme Court of the Canal Zone	170
Order of the President, Dec. 23, 1908, appointing Wesley M. Owen as associate justice of the Supreme Court of the Canal Zone	171
Order of the President, Jan. 6, 1909, extending safety-appliance acts to the Canal Zone	172
Order of the Secretary of War, Mar. 20, 1909, waiving limitations of section 1, act No. 24, laws of Canal Zone, and authorizing collector of revenues to administer estate of John J. Korp	173
Order of the President, amending civil-service Rule X regarding transfers	174
Order of the Secretary of War, May 14, 1909, abolishing office of director of hospitals	175
Order of the Secretary of War, May 14, 1909, amending order dividing the Canal Zone into administrative districts to provide that fines and fees shall be paid into zone treasury	176
Order of the President, May 22, 1909, providing that when certain holidays fall on Sunday Government offices will close on the following Monday, except where State laws fix a different day for the holiday	177
Order of the President, June 8, 1909, fixing four hours on Saturdays during July, August, and September as a day's work in the Federal public service.	178
Order of the President, June 11, 1909, amending order extending safety-appliance acts to the Canal Zone	179
Order of the President, June 25, 1909, superseding order fixing hours of work in the Federal service on Saturdays during three months in the year	180
Order of the President, July 16, 1909, providing that the two orders fixing hours for work on Saturdays in July, August, and September shall not apply to isthmian employees	181
Order of the secretary of War, July 21, 1909, extending authority of the collector of revenues to administer estates not exceeding \$1,000 in value	182
Order of the President, July 30, 1909, authorizing diminution of time for good behavior for convicts in the Canal Zone penitentiary	183
Order of the President, July 30, 1909, fixing punishment for murder in the first and second degrees	184
Proclamation of the President, Aug. 6, 1909, repealing former ones fixing tonnage dues	185
Order of the President, Sept. 8, 1909, prohibiting hunting by night with artificial light or with spring guns in the Canal Zone	187
Order of the President, Oct. 2, 1909, making cruelty to children and animals misdemeanors	188
Order of the President, Oct. 2, 1909, providing for a board of local inspectors to examine applicants for licenses as master, mate, engineer, or pilot on steam vessels in Canal Zone waters	189
Order of the Secretary of War, Oct. 15, 1909, exempting insurance companies whose business in Canal Zone consists solely in furnishing bonds of employees from annual fee and license tax	190
Order of the President, Nov. 23, 1909, fixing hours of work for telegraph operators and train dispatchers of the Panama R. R. Co.	191
Order of the President, Nov. 23, 1909, making the enticing of laborers from the commission or Panama R. R. a misdemeanor	192

	Page.
Order of the President, Nov. 26, 1909, directing that no subordinate shall apply to Congress for legislation nor respond to requests from Congress for information except through or as authorized by the head of his department.	193
Circular of the War Department, Dec. 4, 1909, publishing foregoing order.	194
Order of the Secretary of War, Dec. 1, 1909, authorizing members of gun clubs to carry arms; and granting enlisted men of the Marine Corps on the Isthmus hunting licenses without charge.	195
Order of the President, Jan. 12, 1910, amending order prescribing procedure in submitting recommendations affecting method of appointment in the classified service.	196
Order of the President, Jan. 26, 1910, authorizing certain sanitary improvements in the Zone and the charging of a proportion to owners of adjacent property.	197
Order of the Secretary of War, Feb. 8, 1910, authorizing members of board of local inspectors to administer oaths.	198
Order of the President, Apr. 2, 1910, providing that collection of moneys for liquor licenses shall be made by collector of revenues instead of by district tax collectors.	199
Order of the President, Apr. 12, 1910, appointing Maurice H. Thatcher as a member of the commission and fixing his compensation.	200
Order of the President, Apr. 16, 1910, prescribing duties of counsel and chief attorney and amending Code of Criminal Procedure.	201
Order of the Secretary of War, May 24, 1910, abolishes office of executive secretary.	203
Order of the President, July 25, 1910, empowers commission to establish rules and regulations to facilitate and protect canal work.	204
Order of the President, July 28, 1910, limiting jurisdiction of the Canal Zone courts.	205
Order of the President, Aug. 20, 1910, prescribing method for married women to convey or mortgage real estate, and authorizing certain officers to administer oaths.	206
Order of the President, Sept. 16, 1910, amending civil-service Rule X, regarding transfers.	208
Order of the President, Oct. 4, 1910, abolishing the office of district tax collector and prescribing regulations for collection of taxes.	209
Order of the Secretary of War, Oct. 4, 1910, placing the department of law under the direction of the counsel and chief attorney.	212
Order of the President, Oct. 7, 1910, prescribing the manner of leasing public lands in the Canal Zone.	213
Order of the Secretary of War, Jan. 5, 1911, amending orders relative to import duties, and exclusion of tropical employees from commissary privileges.	214
Order of the President, Jan. 16, 1911, authorizing use of French dump cars without safety appliances for obtaining gravel until July 1.	215
Order of the President, Jan. 19, 1911, creating a land office for the Canal Zone.	216
Order of the President, Feb. 2, 1911, providing a method of executing and recording deeds, and repealing a previous order.	218
Order of the Secretary of War, Mar. 11, 1911, exempting Juan Vampero, Filipino, from operation of order limiting employment and providing for discharge of aliens.	222
Order of the President, Mar. 16, 1911, appointing Walter W. Warwick as associate justice of the Supreme Court of the Canal Zone.	223
Order of the President, Mar. 16, 1911, appointing Thomas E. Brown, jr., as associate justice of the Supreme Court of the Canal Zone.	224

	Page.
Order of the President, Mar. 20, 1911, classifying certain employees transferred from the Panama R. R. Co. to the commission on consolidation of storehouses	225
Order of the President, May 2, 1911, making it a felony for persons to return to the Canal Zone after imprisonment in penitentiary and deportation.....	226
Order of the President, May 6, 1911, establishing regulations relative to arrest and discharge of deserting seamen.....	227
Order of the President, May 10, 1911, prescribing rules for the government of the insane asylum for the Canal Zone.....	229
Order of the President, May 11, 1914, making it a misdemeanor to evade payment of fare on railroad trains in the Canal Zone.....	234
Order of the President, May 13, 1911, providing for the collection of a distillation tax	235
Order of the President, June 12, 1911, amending order providing for collection of distillation tax.....	237

EXECUTIVE ORDERS

RELATING TO THE

ISTHMIAN CANAL COMMISSION.

WHITE HOUSE,
Washington, March 8, 1904.

SIRS: I have appointed you as the Commission which is to undertake the most important and also the most formidable engineering feat that has hitherto been attempted. You are to do a work the doing of which, if well done, will reflect high honor upon this nation, and, when done, will be of incalculable benefit, not only to this nation, but to civilized mankind. As you yourselves must individually know, I have chosen you with reference to nothing save my belief, after full and patient inquiry, that you are among all the available men of whom I have knowledge, those best fitted to bring this great task to a successful conclusion. You have been chosen purely because of your personal and professional reputations for integrity and ability. You represent the whole country. You represent neither section nor party. I have not sought to find out the politics of a single one of you, and, indeed, as to the majority of you I have not the slightest idea what your political affiliations are.

I believe that each one of you will serve not merely with entire fidelity, but with the utmost efficiency. If at any time I feel that any one of you is not rendering the best service which it is possible to procure, I shall feel called upon to disregard alike my feelings for the man and the man's own feelings, and forthwith to substitute for him on the Commission some other man whom I deem capable of rendering better service. Moreover, I shall expect, if at any time any one of you feels that the work is too exhausting and engrossing for him to do in the best possible manner, that he will of his own accord so inform me, in order that I may replace him by some man who, to the requisite ability, joins the will and the strength to give all the effort needed. But so long as you render efficient service of the highest type in the work you are appointed to perform, you may rest assured of my hearty support and backing in every way.

These are the conditions under which you have been appointed, and under which I shall expect you to proceed. I shall furthermore expect you to apply precisely the same principles in the choice and retention of the subordinates who do the work under you as I have

applied in your choice and shall apply in your retention. I shall expect you to appoint no man for reasons other than your belief in the aid he can render you in digging the canal. If, having appointed any man, you find that your expectations about him are not fulfilled, or that from any reason he falls short of his duty, I shall expect you to dismiss him out of hand; I shall expect that under such circumstances you will pay not the slightest heed to any backing or influence the man may have. I assume as a matter of course that in dealing with contractors you will act on precisely the principles which would apply in any great private business undertaking. There is no man among you to whom I think it is necessary to say a word as to the standard of honesty to be exacted from every employe or contractor, for if I had had the slightest ground for suspicion that there was need to say such a word to any one of you I should not have appointed him. But I do wish to emphasize the need of unceasing vigilance in the performance of this great work.

As to the details of the work itself I have but little to say. It is to be done as expeditiously as possible, and as economically as is consistent with thoroughness. There is one matter to which I wish to ask your special attention—the question of sanitation and hygiene. You will take measures to secure the best medical experts for this purpose whom you can obtain, and you will, of course, make the contractors submit as implicitly as your own employes to all the rules and regulations of the medical department under you. I presume you will find it best to have one head for this medical department, but that I shall leave to your own judgment.

The plans are to be carefully made with a view to the needs not only of the moment, but of the future. The expenditures are to be supervised as rigorously as if they were being made for a private corporation dependent for its profits upon the returns. You are to secure the best talent this country can afford to meet the conditions created by every need which may arise. The methods for achieving the results must be yours. What this nation will insist upon is that the results be achieved.

THEODORE ROOSEVELT.

THE ISTHMIAN CANAL COMMISSION.

The compensation of the members of the Isthmian Canal Commission shall be as follows, until otherwise determined by Congress:

The salary of each commissioner shall be at the rate of twelve thousand dollars a year, payable one thousand dollars per month, commencing upon the day on which he takes the oath of office.

An additional allowance of fifteen dollars per day is to be paid to each member of the Commission while absent from the United States on duty.

Each member of the Commission shall be allowed expenses while traveling on duty as follows: transportation, including seat in day Pullman car, or section in sleeping car; a reasonable allowance for baggage, portorage, hacks and street cars; and hotel expenses not exceeding seven dollars per day.

The members of the Commission shall be considered as on duty when in Washington. Any travel for private purposes, or visiting their homes, shall not be considered as traveling on duty.

The approval of the Chairman or acting Chairman of the Commission shall be required on all vouchers.

THEODORE ROOSEVELT.

WHITE HOUSE, *March 26, 1904.*

LETTER OF THE PRESIDENT PLACING THE ISTHMIAN CANAL COMMISSION UNDER THE SUPERVISION AND DIRECTION OF THE SECRETARY OF WAR, AND DEFINING THE JURISDICTION AND FUNCTIONS OF THE COMMISSION.

WHITE HOUSE,

Washington, D. C., May 9, 1904.

SIR: By the act of Congress approved June 28, 1902, the President of the United States is authorized to acquire for, and on behalf of, the United States all the rights, privileges, franchises, concessions, grants of lands, rights of way, unfinished work, plants, shares of the capital stock of the Panama Railway, owned by or held for the use of the new Panama Canal Company, and any other property, real, personal, and mixed of any name or nature owned by the said new Panama Canal Company situated on the Isthmus of Panama. The President is by the same act also authorized to acquire for, and on behalf of, the United States perpetual control of a strip of land on the Isthmus of Panama, not less than six miles in width, extending from the Caribbean Sea to the Pacific Ocean, and the right to excavate, construct, and maintain perpetually, operate and protect thereon, a ship canal of certain specified capacity and also the right to perpetually operate the Panama Railroad. Having acquired such rights, franchises, property, and control, the President is by the same act required to excavate, construct, and complete a ship canal from the Caribbean Sea to the Pacific Ocean, and to enable him to carry forward and complete this work, he is authorized to appoint, by and with the consent of the Senate, an Isthmian Canal Commission of seven members, who are to be in all matters subject to his direction and control.

By the terms of the Canal Convention between the United States and the Republic of Panama, entered into in pursuance of the said act of Congress approved June 28, 1902, the ratifications of which were exchanged on the 26th day of February, 1904, the Republic of Panama granted to the United States:

First, the perpetual use, occupation, and control of a certain zone of land, land under water including islands within said zone, at the Isthmus of Panama, all to be utilized in the construction, maintenance, and operation, sanitation and protection of the ship canal, of the width of ten miles extending to the distance of five miles on each side of the central line of the route of the canal, and the use, occupation, and control of other lands and waters outside

of the zone above described which may be necessary and convenient for the construction, maintenance, operation, sanitation, and protection of said canal or of any auxiliary canals or other works necessary and convenient for the same purpose; also the islands of Perico, Naos, Culebra, and Flamenico, situated in the Bay of Panama, and

Second, all the rights, powers, and authority within the zone, auxiliary lands and lands under water, which the United States would possess and exercise if it were the sovereign of the territory granted, to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, and authority.

By the act of Congress approved April 28, 1904, the President is authorized, upon acquisition of the property of the new Panama Canal Company, and the payment to the Republic of Panama of the price for compensation agreed upon in the said Canal Convention, to take possession of, and occupy on behalf of the United States, the zone of land, and land under water, including islands within said zone at the Isthmus of Panama of the width of ten miles extending to the distance of five miles on each side of the central line of the route of the canal to be constructed thereon, including the islands of Perico, Naos, Culebra, and Flamenico, and from time to time as may be necessary and convenient certain auxiliary lands and waters outside the said zone for the purpose of constructing, maintaining, operating, sanitating, and protecting the ship canal, the use, occupation, and control whereof were granted to the United States by the Republic of Panama in the said Canal Convention.

By the same act, the President is authorized, for the purpose of providing temporarily for the maintenance of order in the canal zone and for maintaining and protecting the inhabitants thereof in the free enjoyment of their liberty, property, and religion, to delegate to such person or persons as he may designate and to control the manner of their exercise, all the military, civil and judicial powers as well as the power to make all needful rules and regulations for the government of the canal zone and all the rights, powers and authority granted by the said Canal Convention to the United States, until the close of the Fifty-eighth Congress.

Payments of the authorized purchase price of \$40,000,000 to the new Panama Canal Company for the property of that corporation on the isthmus, including the shares of railway stock, and for the records in Paris, and of the sum of \$10,000,000, as stipulated in the Canal Convention, to the Republic of Panama for the rights, powers and privileges granted to the United States by the terms of the said convention, have been made and proper instruments of transfer have been executed by the Panama Canal Company. The members of the Isthmian Canal Commission have been appointed. They have organized the commission and entered upon their duties. I have taken

possession of and now occupy, on behalf of the United States, the canal zone and public land ceded by the Republic of Panama.

It becomes my duty, under the statutes above referred to, to secure the active prosecution of the work of construction of the canal and its auxiliary works, through the Isthmian Canal Commission, and in connection with such work and in aid thereof to organize and conduct a temporary government of the zone, so as to maintain and protect the inhabitants thereof in the free enjoyment of their liberty, property, and religion.

Inasmuch as it is impracticable for the President, with his other public duties, to give to the work of supervising the commission's construction of the canal and government of the zone the personal attention which seems proper and necessary, and inasmuch as the War Department is the department which has always supervised the construction of the great civil works for improving the rivers and harbors of the country and the extended military works of public defense, and as the said department has from time to time been charged with the supervision of the government of all the island possessions of the United States, and continues to supervise the government of the Philippine Islands, I direct that all the work of the commission done by virtue of powers vested in me by the act of Congress approved June 28, 1902, in the digging, construction, and completion of the canal, and all the governmental power in and over said canal zone and its appurtenant territory, which by virtue of the act of Congress approved April 28, 1904, and these instructions, shall be vested in said Isthmian Canal Commission, shall be carried on or exercised under your supervision and direction as Secretary of War.

Subject to the limitations of law and the conditions herein contained, the Isthmian Canal Commission are authorized and directed:

1. To make all needful rules and regulations for the government of the zone and for the correct administration of the military, civil, and judicial affairs of its possessions until the close of the Fifty-eighth Congress.

2. To establish a civil service for the government of the strip and construction of the canal, appointments to which shall be secured as nearly as practicable by a merit system.

3. To make or cause to be made all needful surveys, borings, designs, plans, and specifications of the engineering, hydraulic, and sanitary works required and to supervise the execution of the same.

4. To make and cause to be executed after due advertisement all necessary contracts for any and all kinds of engineering and construction works.

5. To acquire by purchase or through proper and uniform expropriation proceedings, to be prescribed by the commission, any

private lands or other real property whose ownership by the United States is essential to the excavation and completion of the canal.

6. To make all needful rules and regulations respecting an economical and correct disbursement and an accounting for all funds that may be appropriated by Congress for the construction of the canal, its auxiliary works, and the government of the canal zone; and also to establish a proper and comprehensive system of bookkeeping, showing the state of the work, the expenditures by classes, and the amounts still available.

7. To make requisition on the Secretary of War for funds needed from time to time in the proper prosecution of the work and to designate the disbursing officers authorized to receipt for the same.'

The inhabitants of the Isthmian Canal Zone are entitled to security in their persons, property, and religion, and in all their private rights and relations. They should be so informed by public announcement. The people should be disturbed as little as possible in their customs and avocations that are in harmony with principles of well ordered and decent living.

The municipal laws of the canal zone are to be administered by the ordinary tribunals substantially as they were before the change. Police magistrates and justices of the peace and other officers discharging duties usually devolving upon these officers of the law will be continued in office if they are suitable persons. The governor of the zone, subject to approval of the commission, is authorized to appoint temporarily a judge for the canal zone, who shall have the authority equivalent to that usually exercised in Latin countries by a judge of a court of first instance, but the Isthmian Canal Commission shall fix his salary and may legislate respecting his powers and authority, increasing or diminishing them in their discretion, and also making provision for additional or appellate judges, should the public interest require.

The laws of the land, with which the inhabitants are familiar, and which were in force on February 26, 1904, will continue in force in the canal zone and in other places on the isthmus over which the United States has jurisdiction until altered or annulled by the said commission, but there are certain great principles of government which have been made the basis of an existence as a nation which we deem essential to the rule of law and the maintenance of order, and which shall have force in said zone. The principles referred to may be generally stated as follows:

That no person shall be deprived of life, liberty, or property without due process of law; that private property shall not be taken for public use without just compensation; that in all criminal prosecutions the accused shall enjoy the right of a speedy and public trial, to

be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense; that excessive bail shall not be required nor excessive fines imposed, nor cruel or unusual punishment inflicted; that no person shall be put twice in jeopardy for the same offense, or be compelled in any criminal case to be a witness against himself; that the right to be secure against unreasonable searches and seizures shall not be violated; that neither slavery nor involuntary servitude shall exist except as a punishment for crime; that no bill of attainder or ex post facto law shall be passed; that no law shall be passed abridging the freedom of speech or of the press, or of the rights of the people to peaceably assemble and petition the government for a redress of grievances; that no law shall be made respecting the establishment of religion or prohibiting the free exercise thereof: *Provided, however,* that the commission shall have power to exclude from time to time from the canal zone and other places on the isthmus, over which the United States has jurisdiction, persons of the following classes who were not actually domiciled within the zone on the 26th day of February, 1904, viz: Idiots, the insane, epileptics, paupers, criminals, professional beggars, persons afflicted with loathsome or dangerous contagious diseases; those who have been convicted of felony, anarchists, those whose purpose it is to incite insurrection and others whose presence it is believed by the commission would tend to create public disorder, endanger the public health, or in any manner impede the prosecution of the work of opening the canal; and may cause any and all such newly-arrived persons or those alien to the zone to be expelled and deported from the territory controlled by the United States, and the commission may defray from the canal appropriation the cost of such deportation as necessary expenses of the sanitation, the police protection of the canal route, and the preservation of good order among the inhabitants.

The commission may legislate on all rightful subjects of legislation not inconsistent with the laws and treaties of the United States so far as they apply to said zone and other places, and the said power shall include the enactment of the sanitary ordinances of a preventive or curative character to be enforced in the cities of Colon and Panama and which are contemplated and authorized by Article 7 of said Canal Convention. Such legislative power shall also include the power to raise and appropriate revenues in said zone; and all taxes, judicial fines, customs duties and other revenues levied and collected in said zone by or under the authority of said commission shall be retained, accounted for, and disbursed by said commission for its proper purposes. The members of said commission to the number of four or more shall constitute a legislative quorum, and all rules and regula-

tions passed and enacted by said commission shall have set forth as a caption that they are enacted by the Isthmian Canal Commission "By authority of the President of the United States."

The commission shall hold its regularly quarterly meetings at the office of the commission either in Panama or at a branch office in Washington, and special meetings may be held at the pleasure of the commission.

All laws, rules, and regulations of a governmental character enacted by the commission hereunder shall be submitted to you for your approval, and should your approval be withheld from any such law, rule, or regulation, then from that time the law, rule, or regulation shall thereafter have no force or effect.

Major General George W. Davis, U. S. Army (retired), a member of the Canal Commission, is hereby appointed governor of the Isthmian Canal Zone. He will proceed at once to the Isthmus of Panama. He will in my name, as the chief executive in the canal zone, for and on behalf of the United States, see that the laws are faithfully executed and will maintain possession of said territory, including the public lands therein and the property real and movable on the Isthmus of Panama, except that of the Panama Railroad, that has recently been acquired from the Republic of Panama. He is hereby vested with the power to grant reprieves and pardons for offenses against the rules, regulations, and laws in force by virtue of action of the commission or by virtue of the clause hereof continuing in force the laws of Panama. In case of his disability or absence from the canal zone at any time, the Isthmian Canal Commission is empowered to designate the person or persons to act as governor during such absence or disability. Except as herein prescribed the duties of the governor shall be fixed by legislation of the Canal Commission.

For the preservation of order and protecting the property of the United States, within or without said zone as provided by Article 7 of the Canal Convention, an adequate police force shall be maintained. If at any time there shall arise necessity for military or naval assistance the governor shall, if possible, promptly notify you, and in the event of a sudden exigency the governor may call upon any available military or naval force of the United States to render assistance, and the same shall be immediately furnished.

It is a matter of first importance that the most approved and effective methods and measures known to sanitary science be adopted in order that the health conditions on the isthmus may be improved. It is the belief of those who have noted the successful results secured by our Army in Cuba in the obliteration of yellow fever in that island that it is entirely feasible to banish the diseases that have heretofore caused most mortality on the isthmus, or at least to improve as greatly the health conditions there as in Cuba and Porto Rico. I

desire that every possible effort be made to protect our officers and workmen from the dangers of tropical and other diseases, which in the past have been so prevalent and destructive in Panama.

Rear Admiral John G. Walker, U. S. Navy (retired), and Colonel Frank J. Hecker, members of the Isthmian Canal Commission, are hereby designated as members of the joint commission provided for by Articles 6 and 15 of the Canal Convention. The moiety of the necessary expenses of the commission to be created in pursuance of Articles 6 and 15 of the above-cited Canal Convention will be defrayed from the appropriation applicable to the ship canal to connect the waters of the Atlantic and Pacific oceans.

The Isthmian Canal Commission will prepare for Congress and place in your hands on or before December 1 of each year a full and complete report of all their acts and of the operations conducted by them in respect to the canal construction and the government of the canal zone. These reports will contain a detailed account of all moneys received and disbursed in the performance of their duties and of the progress made in the construction of the canal.

The necessary expenses incurred by the commission in carrying on the government of the canal zone will be defrayed from the local revenues so far as the said revenues may be sufficient and the remainder will be met from the appropriation made by the fifth section of the act of Congress approved June 28, 1902. An estimate of the proposed expenditures and revenues for each year in carrying on the government of the zone will be submitted to Congress at the beginning of each annual session.

By virtue of the ownership by the United States of about sixty-nine seventieths of the shares of the capital stock of the Panama Railroad the general policy of the managers of said road will be controlled by the United States. As soon as practicable I desire that all the members of the Isthmian Canal Commission be elected to the board of directors of the road, and that the policy of the road be completely harmonized with the policy of the Government of making it an adjunct to the construction of the canal, at the same time fulfilling the purpose for which it was constructed as a route of commercial movement across the Isthmus of Panama. If any contracts or other obligations now subsist between the railway company and other transportation companies that are not in accord with sound public policy, then such contracts must be terminated as soon as it is possible to effect that object.

No salary or per diem allowance of compensation in addition to the stated salary and per diem allowance of the members of the Isthmian Canal Commission will be allowed to any member of the commission by reason of his services in connection with the civil government of the canal zone, or his membership of any board or

commission concerned in or connected with the construction of the canal or by reason of his services as an officer or director of the Panama Railroad.

If there now be in force within the canal zone any franchise granting to any person or persons a privilege to maintain lotteries or hold lottery drawings or other gambling methods and devices of a character forbidden by the laws of the United States, or if the grantee of any such privilege has now the right to sell lottery tickets or similar devices to facilitate the business of the concessionaire, the commission shall enact laws annulling the privileges or concessions and punishing future exercise of the same by imprisonment or fine, or both.

These instructions may be modified and supplemented as occasion shall arise.

Very respectfully,

THEODORE ROOSEVELT.

Hon. WILLIAM H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, June 24, 1904.

TO THE CHAIRMAN OF THE ISTHMIAN CANAL COMMISSION:

By direction of the President it is ordered:—

SECTION 1. The territory of the Canal Zone of the Isthmus of Panama is hereby declared open to the commerce of all friendly nations. All articles, goods and wares, not included in the prohibited list, entering at the established customs ports, will be admitted upon payment of such customs duties and other charges as are in force at the time and place of their importation.

SECTION 2. For the purposes of customs administration in said Canal Zone, there are hereby established two collection districts as follows:

First: The District of Ancon, comprising the southern half of said Canal Zone more particularly described as follows:

The port of entry in said district shall be Ancon.

Second. The District of Cristobal, comprising the northern half of said Canal Zone more particularly described as follows:

The port of entry in said district shall be Cristobal.

SECTION 3. There is hereby created and shall be maintained in the government of the Canal Zone a subdivision of the executive branch to be known as the Customs Service: the general duties, powers and jurisdiction of the Customs Service shall be to administer the customs laws and tariff regulations in force in said Zone. The Governor of the Canal Zone shall be the head of the Customs Service. There shall be a Collector of Customs for each Collection District, who shall receive an annual salary of two thousand five hundred dollars in gold, payable in monthly installments. It shall be the duty of the Collector to collect all revenues derived from the enforcement of the customs laws and tariff regulations in the District subject to his jurisdiction, and to perform such other service in the administration of such laws as is ordinarily performed by a Collector of Customs or as he may be required to perform by the Governor of the Canal Zone. The Collector of Customs shall be appointed by the Governor, with the advice and consent of the Isthmian Commission. The Governor of the Canal Zone is hereby authorized to appoint and fix the compensation of Deputy Collectors, Surveyors of Customs and such other subordinates and employees as may be necessary for the efficient administration of the Customs laws and Service.

SECTION 4. The Governor of the Canal Zone is hereby authorized and empowered to prescribe and enforce rules and regulations for the

administration of the Customs laws and Service of said Zone, and report the same to the Chairman of the Commission and said rules and regulations shall have the force and effect of law until annulled or modified by legislative act of the Isthmian Canal Commission or other competent authority.

SECTION 5. Until otherwise provided by competent authority, duties on importation into the Canal Zone are to be levied in conformity with such duties as Congress has imposed upon foreign merchandise imported into other ports of the United States.

SECTION 6. Goods or merchandise entering the Canal Zone from ports of the United States or Insular possessions of the United States shall be admitted on the same terms as at the ports of the States of this Union.

SECTION 7. All goods or merchandise, whether free or dutiable, entering the Canal Zone by water, by rail or otherwise, for transportation across said Zone must be entered at the Customs House of the Collection District wherein the point of entrance is situated. Violation of this requirement shall subject the goods to seizure and forfeiture by the Customs officials.

SECTION 8. The Governor of the Canal Zone is authorized to enter and carry out an agreement with the President of the Republic of Panama for co-operation between the Customs Service of the Canal Zone and that of the Republic of Panama to protect the customs revenues of both governments and to prevent frauds and smuggling.

SECTION 9. The Governor of the Canal Zone is hereby authorized to enter upon negotiations and make a tentative agreement with the President of the Republic of Panama respecting reciprocal trade relations between the territory and inhabitants of the Canal Zone and appurtenant territory and the Republic of Panama; also a readjustment of customs duties and tariff regulations so as to secure uniformity of rates and privileges and avoid the disadvantages resulting from different schedules, duties, and administrative measures in limited territory subject to the same conditions and not separated by natural obstacles. The Governor shall report as to such negotiations and proposed agreement to the Chairman of the Isthmian Canal Commission, for submission and consideration by the Commission and such action by competent authority as may be necessary to render said agreement effective in the Canal Zone.

This order will be proclaimed and enforced in the Canal Zone at Panama.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, June 24, 1904.

TO THE CHAIRMAN OF THE ISTHMIAN CANAL COMMISSION.

SIR: The necessities of the inhabitants and the due administration of the affairs of government in the Canal Zone at Panama require the establishment of post-offices and postal service in that territory.

It is therefore ordered: That a Post-Office be established in each of the following named towns of the Canal Zone, to wit: Cristobal, Gatun, Boheo, Gorgona, Bas Obispo, Empire, Culebra, La Boca and Ancon.

The post-offices at Cristobal and Ancon shall be money order offices.

The Governor of the Canal Zone is hereby authorized to appoint postmasters for the post-offices herein established and fix the compensation therefor, subject to the approval of the Isthmian Canal Commission.

The Governor of the Canal Zone is directed to formulate a plan for a practical and efficient postal service in said Canal Zone, and including such measures and provisions of the postal service of the United States as are not inapplicable to the conditions of law and fact existing in the Canal Zone, and to report said plan to the Chairman of the Isthmian Canal Commission for such action as the discretion of the Commission shall approve.

Pending the establishment of the postal service by act of the Commission or other competent authority, the Governor of the Canal Zone is hereby authorized to establish post offices at such additional places in the Canal Zone as in his judgment the interests of the public require, and to appoint postmasters therefor and fix their compensation, subject to the approval or other action thereon by the Isthmian Canal Commission.

The Governor of the Canal Zone is also authorized to adopt and enforce such temporary rules, regulations, provisions and requirements as may be necessary to secure a practical and efficient postal service in said Canal Zone; and to employ such temporary assistants and employees as the exigencies of the service require.

By direction of the President:

WM. H. TAFT,
Secretary of War.

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., December, 1904.

On November 15, 1904, the President promulgated the following order:

CLASSIFICATION OF THE ISTHMIAN CANAL COMMISSION.

In exercise of the power vested in the President by section 1753 of the Revised Statutes and acts amendatory thereof:

It is ordered, That the Isthmian Canal Commission be classified and the civil-service act and rules applied thereto, and that no person be hereafter appointed, employed, promoted, or transferred in the service of said Commission unless he passes an examination in conformity therewith, unless specifically exempted thereunder. This order shall apply to all officers and employees, except persons employed merely as laborers, persons whose appointments are confirmed by the Senate, and engineers detailed from the Army.

The officers and employees included within the provisions of this order are hereby arranged in classes according to annual salary or compensation as follows:

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| (A) Less than \$720. | (2) \$1,400 or more and less than \$1,600. |
| (B) \$720 or more and less than \$840. | (3) \$1,600 or more and less than \$1,800. |
| (C) \$840 or more and less than \$900. | (4) \$1,800 or more and less than \$2,000. |
| (D) \$900 or more and less than \$1,000. | (5) \$2,000 or more and less than \$2,500. |
| (E) \$1,000 or more and less than \$1,200. | (6) \$2,500 or more. |
| (1) \$1,200 or more and less than \$1,400. | |

In connection with this order of classification the President issued the following Executive order defining the positions which may be filled without competitive examination under the civil-service rules:

EXECUTIVE ORDER.

Schedule A of the civil-service rules¹ is hereby amended by adding at the end thereof a new section, reading:

¹ Schedule A is a list of the classified positions excepted from examination under Rule II, clause 3, which is as follows:

"3. Appointments to the excepted positions named in Schedule A of these rules may be made without examination or upon noncompetitive examination; but the proper appointing officer may fill an excepted position as competitive positions are filled, in which case the person appointed will receive all the rights of a competitive employee."

VIII.—ISTHMIAN CANAL COMMISSION.

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| <ol style="list-style-type: none">1. Secretary.2. Assistant Secretary.3. Executive Secretary to the Governor of the Canal Zone.4. Chief Clerk.5. Treasurer.6. One Deputy Treasurer.7. One Chief of Materials and Supplies.8. Auditor.9. Two deputy auditors.10. One Disbursing Officer for the Canal Zone.11. One Collector of Revenue.12. Chief Engineer of the Commission.13. Division engineers as hereinafter to be provided for. | <ol style="list-style-type: none">14. Resident engineers as hereinafter to be provided for.15. Hospital attendants other than nurses and clerical force.16. Chief Sanitary Officer.17. Assistant Sanitary officers as hereinafter to be provided for.18. Director of Hospitals.19. Superintendents of canal hospitals, one for each hospital.20. Chief Quarantine Officer.21. Two assistant quarantine officers.22. Sanitary officer at Colon.23. Sanitary officer at Panama. |
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The number of division engineers, resident engineers, and assistant sanitary officers shall be agreed upon between the Isthmian Canal Commission and the Civil Service Commission at the end of one year from the date of this order.

The Isthmian Canal Commission is to furnish the Civil Service Commission semi-annually, on the first days of December and June, with statements of the names of those employed as hospital attendants, as above set forth, during the preceding six months, with a general statement of the duties of each of them.

PANAMA, *December 3, 1904.*

By direction of the President, it is ordered that, subject to the action of the Fifty-eighth Congress as contemplated by the act of Congress, approved April 28, 1904:

SECTION 1. No importation of goods, wares, and merchandise shall be entered at Ancon or Cristobal, the terminal ports of the canal, except such goods, wares, and merchandise as are described in Article XIII of the treaty between the Republic of Panama and the United States, the ratifications of which were exchanged on the 26th day of February, 1904, and except goods, wares, and merchandise in transit across the isthmus for a destination without the limits of said isthmus, and except coal and crude mineral oil for fuel purposes to be sold at Ancon or Cristobal to sea-going vessels; said coal and oil to be admitted to those ports free of duties for said purposes:

Provided, however, That this order shall be inoperative, first, unless the Republic of Panama shall reduce the ad valorem duty on imported articles described in class 2 of the act of the National Convention of Panama passed July 5, 1904, and taking effect October 12, 1904, from fifteen per centum to ten per centum and shall not increase the rates of duty on the imported articles described in the other schedules of said act except on all forms of imported wines, liquors, alcohol, and opium on which the Republic may fix higher rates; second, unless article 38 of the Constitution of the Republic of Panama as modified by article 146 thereof shall remain in full force and unchanged so far as the importation and sale of all kinds of merchandise are concerned; third, unless the consular fees and charges of the Republic of Panama in respect to entry of all vessels and importations into said ports of Panama and Colon shall be reduced to sixty per cent of the rates now in force; and, fourth, unless goods imported into the ports of Panama and Colon consigned to or destined for any part of the Canal Zone shall not be subjected in the Republic of Panama to any other direct or indirect impost or tax whatever.

SEC. 2. In view of the proximity of the port of Ancon to the port of Panama, and the port of Cristobal to the port of Colon, the proper customs or port official of the Canal Zone shall, when not inconsistent with the interests of the United States, at the instance of the proper authority of the Republic of Panama, permit any vessel, entered at or cleared from the ports of Panama and Colon, together with its cargo and passengers, under suitable regulations for the transit of the imported merchandise and passengers to and from the territory of the Republic of Panama, to use and enjoy the dockage and other

facilities of the ports of Ancon and Cristobal respectively upon payment of proper dockage dues to the owners of said docks:

Provided, however, That reciprocal privileges as to dockage and other facilities at Panama and Colon, together with suitable arrangement for transit of imported merchandise and passengers to and from the territory of the Canal Zone, shall be granted by the authorities of the Republic of Panama, when not inconsistent with its interests, to any vessel, together with its cargo and passengers entered at or cleared from the ports of Ancon and Cristobal: *Provided, however,* That nothing herein contained shall affect the complete administrative, police, and judicial jurisdiction of the two governments over their respective ports and harbors, except as hereinafter provided in section 6.

Provided, also, That vessels entering or clearing at the port of Panama shall have the absolute right freely to anchor and lade and discharge their cargoes by lighterage from and to Panama at the usual anchorage in the neighborhood of the islands of Perico, Flamenco, Naos, and Culebra though included in the harbor of Ancon under the provisional delimitation as amended under section 5 hereafter, and to use the said waters of said harbor for all lawful commercial purposes.

SEC. 3. All manifests and invoices and other documents in respect to vessels or cargoes cleared or consigned for or from the ports of Panama and Colon shall, as heretofore, be made by the officials of the Republic of Panama. All manifests, invoices, and other documents in respect to the vessels and cargoes cleared or consigned for or from the ports of Ancon or Cristobal shall be made by officials of the United States.

SEC. 4. No import duties, tolls, or charges of any kind whatsoever shall be imposed by the authorities of the Canal Zone upon goods, wares, and merchandise imported, or upon persons passing from the territory of the Republic of Panama into the Canal Zone, and section 5 of the Executive Order of June 24, 1904, providing that duties on importations into the Canal Zone are to be levied in conformity with such duties as Congress has imposed upon foreign merchandise imported into ports of the United States is hereby revoked, but this order shall be inoperative unless the authorities of the Republic of Panama shall grant by proper order reciprocal free importation of goods, wares, and merchandise and free passage of persons from the territory of the Canal Zone into that of the Republic of Panama.

SEC. 5. The provisions of this order also shall not be operative except upon the condition that the delimitation of the cities and harbors of Colon and Panama, signed on the 15th day of June, 1904, by the proper representatives of the governments of the Republic of Panama and of the Canal Zone, shall be provisionally enforced,

and while the same shall remain in force with the consent of both parties thereto, the provisional delimitation shall include not only the terms set forth in the writing thereof, but also the following, viz.: That the harbor of Panama shall include the maritime waters in front of said city to the south and east thereof, extending three marine miles from mean low-water mark, except the maritime waters lying westerly of a line drawn from a stake or post set on Punta Mala through the middle island of the three islands known as Las Tres Hermanas, and extending three marine miles from mean low-water mark on Punta Mala, which waters shall be considered in the harbor of Ancon.

SEC. 6. This order also shall be inoperative unless the proper governmental authorities of the Republic of Panama shall grant power to the authorities of the Canal Zone to exercise immediate and complete jurisdiction in matters of sanitation and quarantine in the maritime waters of the ports of Panama and Colon.

SEC. 7. The Executive Order of June 24, 1904, concerning the establishment of post-offices and postal service in the Canal Zone is modified and supplemented by the following provisions:

All mail matter carried in the territory of the Canal Zone to or through the Republic of Panama to the United States and to foreign countries shall bear the stamps of the Republic of Panama properly crossed by a printed mark of the Canal Zone Government, and at rates the same as those imposed by the Government of the United States upon its domestic and foreign mail matter, exactly as if the United States and the Republic of Panama for this purpose were common territory. The authorities of the Canal Zone shall purchase from the Republic of Panama such stamps as the authorities of the Canal Zone desire to use in the Canal Zone at forty per centum of their face value; but this order shall be inoperative unless the proper authorities of the Republic of Panama shall by suitable arrangement with the postal authorities of the United States provide for the transportation of mail matter between post-offices on the Isthmus of Panama and post-offices in the United States at the same rates as are now charged for domestic postage in the United States, except all mail matter lawfully franked and inclosed in the so-called penalty envelopes of the United States Government concerning the public business of the United States, which shall be carried free, both by the governments of Panama and of the Canal Zone: *Provided, however,* That the zone authorities may for the purpose of facilitating the transportation of through mail between the zone and the United States in either direction inclose such through mail properly stamped or lawfully franked in sealed mail pouches, which shall not be opened by the authorities of the Republic of Panama in transit,

on condition that the cost of transportation of such mail pouches shall be paid by the Zone Government.

SEC. 8. This order also shall not be operative unless the currency agreement made at Washington June 20, 1904, by the representatives of the Republic of Panama and the Secretary of War of the United States, acting with the approval of the President of the United States, for the establishment of a gold standard of value in the Republic of Panama, and proper coinage shall be approved and put into execution by the President of the Republic of Panama, pursuant to the authority conferred upon him by law of the Republic of Panama, No. 84, approved June 20, 1904, and unless the President of the Republic of Panama, in order that the operation of the said currency agreement in securing and maintaining a gold standard of value in the Republic of Panama may not be obstructed thereby, shall by virtue of his authority conferred by law No. 65, enacted by the National Assembly of Panama on June 6, 1904, abolish the tax of one per cent on gold coin exported from the Republic of Panama.

SEC. 9. Citizens of the Republic of Panama at any time residing in the Canal Zone shall have, so far as concerns the United States, entire freedom of voting at elections held in the Republic of Panama and its provinces or municipalities at such places outside of the Canal Zone as may be fixed by the Republic, and under such conditions as the Republic may determine; but nothing herein is to be construed as intending to limit the power of the Republic to exclude or restrict the right of such citizens to vote as it may be deemed judicious.

SEC. 10. The highway extending from the eastern limits of the city of Panama, as fixed in the above mentioned provisional delimitation agreement of June 10, 1904, to the point still further to the eastward where the road to the "Savannas" crosses the zone line (which is 5 miles to eastward of the center axis of the canal) shall be repaired and maintained in a serviceable condition at the cost and expense of the authorities of the Canal Zone, and also in like manner the said road from the said eastern limits of the city of Panama to the railroad bridge in the city of Panama shall be repaired at the cost of the authorities of the Canal Zone; but this order shall not be operative unless the Republic of Panama shall waive its claim for compensation for the use in perpetuity of the municipal buildings located in the Canal Zone.

SEC. 11. The United States will construct, maintain, and conduct a hospital or hospitals either in the Canal Zone or in the territory of the Republic, at its option, for the treatment of persons insane or afflicted with the disease of leprosy, and indigent sick, and the United States will accept for treatment therein such persons of said classes as the Republic may request; but this order shall not be operative, unless, first, the Republic of Panama shall furnish without cost the

requisite lands for said purposes if the United States shall locate such hospital or hospitals in the territory of the Republic; and, second, unless the Republic shall contribute and pay to the United States a reasonable daily per capita charge in respect of each patient entering, upon the request of the Republic, to be fixed by the Secretary of War of the United States.

SEC. 12. The operation of this Executive Order and its enforcement by officials of the United States on the one hand, or a compliance with and performance of the conditions of its operation by the Republic of Panama and its officials on the other, shall not be taken as a delimitation, definition, restriction, or restrictive construction of the rights of either party under the treaty between the United States and the Republic of Panama.

This order is to take effect on the 12th day of December, 1904.

WM. H. TAFT,

Secretary of War.

PANAMA, *December 6, 1904.*

SECTION 1. Consignments of goods, wares, and merchandise which by virtue of section 1 of the above mentioned order of December 3, 1904, cannot be entered for importation at the ports of Ancon or Cristobal may nevertheless, at the option of the consignor, if accompanied by the proper consular invoices of the consul of the Republic of Panama at the port of consignment, be landed at Ancon or Cristobal, respectively, in transit to any part of the Canal Zone or the republic upon payment of the proper duties to the Republic of Panama, under suitable arrangements similar to those provided for by section 2 of said order of December 3, 1904.

But such goods, wares, and merchandise not accompanied by consular invoice of the consul of the republic shall not be permitted to land at Ancon or Cristobal.

SEC. 2. The order of December 3, 1904, shall be construed to permit free exportation and consignment of goods, wares, and merchandise and free transit of persons and vehicles from the republic through the Canal Zone and from the terminal ports thereof.

By direction of the President:

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, December 16, 1904.

TO THE CHAIRMAN OF THE ISTHMIAN CANAL COMMISSION:

By direction of the President, the order of June 24, 1904, relating to the establishment and administration of the customs service in the Canal Zone of the Isthmus of Panama, is hereby revoked.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,

December 28, 1904.

SIR: By direction of the President, it is ordered that there shall be substituted for the order of June 25, 1904, relating to the establishment and administration of the customs service in the Canal Zone of the Isthmus of Panama, which was revoked by the order of December 16, 1904, the following:

"SECTION 1. For the purpose of customs administration in the Canal Zone there is hereby established a customs district, which comprises all the lands and waters within the control and jurisdiction of the United States on the Isthmus of Panama and the maritime waters contiguous to the shores of the said Canal Zone extending to the distance of three marine miles from mean low-water mark, but not including any maritime waters that pertain to the harbors of the cities of Panama and Colon in the Republic of Panama, the harbors of which are sufficiently defined under the provisional agreement of delimitation signed by the proper representatives of the governments of Panama and of the Canal Zone on the 15th day of June, as modified by the consent of the parties in accordance with the description contained in section 5 of the Executive Order of December 3, 1904.

"SEC. 2. There shall be two ports of entry in the Canal Zone, to wit: Ancon, at the Pacific terminus of the canal, and Cristobal, at the Atlantic terminus, at which goods, wares, and merchandise may be imported or exported and vessels may be entered or cleared in accordance with the Executive Orders of December 3, 1904, and December 6, 1904:

"SEC. 3. The subdivision of the executive branch of the Government of the Canal Zone, known as the Department of Revenues, shall include the administration of the customs laws and tariff regulations in force in the said zone. The collector of revenues, who by act of the Isthmian Canal Commission is ex-officio the collector of customs, shall receive the salary which may be allowed by law, and shall perform the duties of collector of customs as required by the laws now in force in the Canal Zone or that may hereafter be enacted.

"SEC. 4. The deputy collectors and inspectors of customs, the health officers, and port captains at the ports of Ancon and Cristobal

shall receive such compensation as may be allowed by law, and will perform their duties at said ports as required by the laws and regulations in force in the zone.

"SEC. 5. The order of December 16, 1904, revoking the order of June 24, 1904, together with this order, shall be proclaimed in the Canal Zone, Isthmus of Panama, and shall be in force from the date of the promulgation."

Very respectfully,

WM. H. TAFT,
Secretary of War.

THE CHAIRMAN OF THE ISTHMIAN CANAL COMMISSION,
Washington, D. C.

The requirements as to United States citizenship may be waived for applicants for positions on the Isthmus of Panama under such regulations as may be provided by the United States Civil Service Commission.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 8, 1904.*

Section VIII of Schedule A of the Civil Service Rules is hereby amended by adding the following-named positions:

Chief Justice and Judges of Supreme and Circuit Courts.

Clerks of the Supreme and Circuit Courts.

Marshals of the Supreme and Circuit Courts.

Municipal Judges.

Occasional officers of courts, such as referees, trustees, commissioners, and guardians ad litem.

Notaries Public.

Mayors of Municipalities.

Municipal Secretaries.

Assessors of taxes.

One Private Secretary to Governor of Canal Zone.

Warden and keeper of penitentiary at Gorgona.

One Chief of Police.

Captains of Police.

Detectives.

Corporals and privates of police force.

All employees in mechanical trades or other skilled manual occupations who are appointed locally upon the Isthmus of Panama and whose compensation is four dollars per diem or less or one hundred dollars per month or less while actually employed.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 5, 1905.*

WAR DEPARTMENT,

Washington, D. C., January 7, 1905.

By direction of the President, it is hereby ordered that—

1. To entitle goods, wares, and merchandise to entry at Ancon and Cristobal, the terminal ports of the Isthmian Canal, Canal Zone, Isthmus of Panama, it is necessary that it be established by the certificate of a member of the Isthmian Canal Commission, or of the chief engineer of the Isthmian Canal Commission, or of the chief of the Department of Material and Supplies, that said goods, wares, and merchandise are necessary and convenient for the construction of the Isthmian Canal or for the use and consumption of certain officers and employees in the service of the United States and of the Government of the Canal Zone and their families, stationed on the Isthmus of Panama, and are to be devoted to that purpose exclusively.

2. The certificates above required shall be granted only when the goods, wares, and merchandise to be certified are (1) the property, including live stock and forage, of or under contract of purchase by the United States and intended for use in the work of constructing the canal or the sanitation of the Isthmus; or for the service of the Government of the Canal Zone; (2) the property, including live stock and forage, of or under contract of purchase by a contractor with the United States or the Government of the Canal Zone for work on the construction of the Isthmian Canal, the sanitation of the Isthmus of Panama, provided that any goods, wares, or merchandise that are to be offered for sale by any contractor to his employees or otherwise shall not be entitled to such entry; (3) the property of the Government of the Canal Zone or of any municipality of said zone; (4) property and provisions intended for sale in commissaries established and operated by the Isthmian Canal Commission to officers, employees, and contractors of the Isthmian Canal Commission, of the Panama Railroad Company, or of any contractor with the Isthmian Canal Commission for work on the Isthmus (together with the families of such persons), who are citizens of the United States or who received compensation on what is known as the gold pay roll of the Commission, of the railroad company, or such contractor; (5) household furniture of such officers and employees of the Isthmian Canal Commission stationed in the Canal Zone, or Republic of Panama, including such articles, effects, and furnishings as pictures, books, musical instruments, chinaware, bed and table linen, and kitchen utensils; also wearing apparel, toilet objects, and articles for personal

use; books, portable tools, and instruments; jewelry and table services, in quantities and of the class suitable to the rank and position of such officers and employees and intended for their own use and benefit and not for barter or sale, imported from the United States.

3. This order contemplates the exclusion from benefits of the commissaries established and maintained by the Commission of all employees and workmen who are natives of tropical countries wherein prevail climatic conditions similar to those prevailing on the Isthmus of Panama, and who therefore may be presumed to be able to secure the articles of food, clothing, household goods and furnishings, of the kind and character to which they are accustomed, from the merchants of Panama, Colon, and the towns of the Canal Zone, and whose ordinary needs may be supplied without recourse to the Government commissaries. Should it develop hereafter that said merchants charge prices in excess of legitimate profit, or practice other extortion, the United States, for the protection and assistance of all its employees, whether from the tropical or temperate zone, will supply its commissaries with such staple articles as are required and desired by the inhabitants of tropical countries, and permit all its employees and workmen and those of its contractors to avail themselves of the benefits and privileges afforded by said Government commissaries.

This order is to take effect on the 7th day of January, 1905.

WM. H. TAFT,

Secretary of War.

The CHAIRMAN OF THE ISTHMIAN CANAL COMMISSION,

Washington; D. C.

It is ordered that Joseph L. Bristow, of Kansas, be appointed a Special Commissioner for the purpose of visiting the ports of the Pacific Coast, the Isthmus of Panama, New York, and such other ports as may be necessary, to make an investigation into the present trade conditions and freight rates between the Atlantic and Pacific Coasts, across the Isthmus of Panama, and between the west coast of South America and the east coast of the United States, and Europe, for the purpose of determining the best policy to be pursued in the management of the Panama Railroad Company.

He is authorized to employ for this purpose a stenographer at not exceeding \$5 a day and his actual and necessary expenses, and to take evidence of all persons whose knowledge of trade conditions or rates will assist in reaching the necessary conclusion.

The Secretary of War will furnish to the Special Commissioner a letter of instructions, in detail, as to the course and extent of his investigations, and as to the time when he shall report his conclusions.

Until his report is forthcoming, the Commissioner will be allowed his actual expenses, and \$15 a day. The President will finally fix his entire compensation. As Mr. Bristow will need until January 20, 1905, to close up matters awaiting his disposition as Fourth Assistant Postmaster General, this order will take effect on that date. The Isthmian Canal Commission is directed to provide the funds needed in the execution of this order.

THEODORE ROOSEVELT.

[THE WHITE HOUSE, *January 13, 1905.*

By order of the President, Thomas T. Gaff, of Washington, D. C., and Dr. C. A. L. Reed, of Cincinnati, Ohio, are hereby appointed as members of the joint commission provided for by Articles VI and XV of the Canal Convention of February 26, 1904.

They will visit Ancon in the Panama Canal Zone and make their presence known to the Governor of the Zone on or before the seventh of February.

They will receive the actual expenses of travelling and subsistence from the time of leaving their places of residence until their return, and also an allowance of ten dollars a day for their services.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C. January 17, 1905.

WAR DEPARTMENT,
Washington, January 19, 1905.

By order of the President, the Executive Order of January 17th is hereby amended by substituting for H. C. Warmouth, named therein, Dr. C. A. L. Reed.

WM. H. TAFT,
Secretary of War.

WHITE HOUSE,
Washington, D. C., April 1, 1905.

The practical result of the operations of the Isthmian Canal Commission appointed and acting under previous executive orders has not been satisfactory, and requires a change in the personnel of the Commission and in the instructions for its guidance.

The Commission will hold quarterly sessions the first of January, April, July, and October of each year, at the office of the Governor on the Isthmus of Panama, and will continue each session as long as public business may require. Further notice of such meetings shall not be necessary to their regularity. The Commission may hold special sessions at the call of the Chairman. Four members shall constitute a quorum, and the action of such majority shall be the action of the Commission.

The Commission, under the supervision and direction of the Secretary of War and subject to the approval of the President, is charged with the general duty of the adoption of plans for the construction and maintenance of the canal and with the execution of the work of the same; with the purchase and delivery of supplies, machinery and necessary plant; the employment of the necessary officers, employes and laborers, and with the fixing of their salaries and wages; with the commercial operation of the Panama Railroad Company and its steamship lines as common carriers; with the utilization of the railroad as a means of constructing the canal; with the making of contracts for construction and excavation, and with all other matters incident and necessary to the building of a waterway across the Isthmus of Panama, as provided by the Act of Congress of June 28, 1902.

For convenience and to secure the uninterrupted course of the work, an Executive Committee of not less than three members of the Commission shall be appointed by the Commission to act in place of the Commission during the intervals between the meetings of the Commission, and to report its doings in full to the Commission at the next regular meeting. A minute of every transaction of the Executive Committee shall be made, and one copy of the minutes shall be forwarded to the Secretary of War and another copy transmitted for the consideration of the Commission at its next meeting. Regular meetings of the Executive Committee shall be held at the office of the Governor on the Isthmus of Panama at 10 o'clock in the forenoon on each Monday and Wednesday of every week, and further notice of

such meetings shall not be necessary to their legality. A majority of their number shall constitute a quorum for the transaction of business at such meetings. The action of such majority shall be the action of the Executive Committee.

For convenience of executing the work to be done, there shall be constituted three executive departments:

(a) The head of the first department shall be the Chairman of the Commission, who shall have direct and immediate charge of:

1. The fiscal affairs of the Commission;
2. The purchase and delivery of all materials and supplies;
3. The accounts, bookkeeping and audits;
4. The commercial operations in the United States of the Panama Railroad and steamship lines.

5. He shall have charge of the general concerns of the Commission, subject to the supervision and direction of the Secretary of War, and shall perform such other duties as may be placed upon him from time to time by the Secretary of War.

(b) The head of the second department shall be the Governor of the Zone, with the duties and powers indicated in the Executive Order of May 9, 1904, which includes, in general:

1. The administration and enforcement of law in the Zone;
2. All matters of sanitation within the Canal Zone, and also in the cities of Panama and Colon and the harbors, etc., so far as authorized by the treaty, the Executive Orders and Decrees of December 3, 1904, between the United States and the Republic of Panama relating thereto.
3. The custody of all supplies needed for sanitary purposes, and such construction necessary for sanitary purposes, as may be assigned to this Department by the Commission.
4. Such other duties as he may be charged with from time to time by the Secretary of War.
5. He shall reside on the Isthmus and devote his entire time to the service, except when granted leave of absence by the Secretary of War.

(c) The head of the third department shall be the Chief Engineer. He shall have full charge on the Isthmus:

1. Of all the actual work of construction carried on by the Commission on the Isthmus;
2. The custody of all supplies and plant of the Commission upon the Isthmus;
3. The practical operation of the railroad on the Isthmus, with the special view to its utilization in canal construction work.
4. He shall reside on the Isthmus and devote his entire time to the service, except when granted leave of absence by the Secretary of War.

APPOINTMENT OF OFFICERS.

All officers and employes shall be appointed and their salaries shall be fixed by the head of the department in which they are engaged. Their appointment and salary shall be subject to the approval either of the Commission or, if the Commission is not in session, of the Executive Committee. The employment of laborers, where the contract of employment is made in the United States or outside of the Isthmus, shall be negotiated and concluded by the Chairman of the Commission, subject to the approval of the Executive Committee. Where the employment of laborers is effected upon the Isthmus, it shall be conducted under the supervision of the Chief Engineer; subject to the approval of the Executive Committee.

CONTRACTS.

Contracts for the purchase of supplies or for construction involving an estimated expenditure exceeding \$10,000 shall only be made after due public advertisement in newspapers of general circulation, and shall be awarded to the lowest responsible bidder, except in case of emergency, when, with the approval of the Secretary of War, advertising may be dispensed with. In the making of contracts for supplies or construction involving an estimated expenditure of more than \$1,000 or less than \$10,000, competitive bids should be secured by invitation or advertisement whenever practicable.

As soon as practicable after the date of this order, the Isthmian Canal Commission, as hereafter constituted, shall hold a session in the city of Washington for the general purpose of reorganization under this order, and for the special purpose of fixing the number and character of officers and employes to serve in the city of Washington in the work of the Commission. The Commission is especially charged with the duty of maintaining a complete system of accounts on the Isthmus, which shall be duplicated in Washington, so that there may always be in Washington the proper means of informing the President, the Secretary of War and the Congress of the amount of work done, the cost of the same, the amount of money available, the amount of money expended, and the general financial condition of the enterprise.

BOARD OF CONSULTING ENGINEERS.

There will hereafter be appointed by the President, nine civil engineers of the highest standing, having experience in works of canal construction and hydraulics, to constitute a Board of Consulting Engineers, to which will be submitted by the Isthmian Canal Commission, for its consideration and advice, the important engineering questions arising in the selection of the best plan for the construction of the canal. The recommendation of the Board of Consulting Engi-

neers shall be considered by the Isthmian Canal Commission, and, with the recommendations of the Commission, shall finally be submitted, through the Secretary of War, to the President for his decision.

REPORTS.

The executive officers of the Commission shall make duplicate reports upon the work and operation of their respective departments to the Secretary of War and the Isthmian Canal Commission from time to time, and as often as may be required by the Secretary of War or the Chairman of the Commission.

The Secretary of War will make to the President a report at least annually, and as often as he may deem advisable or the President may require.

All executive orders relating to the subject of the Panama Canal, except so far as they may be inconsistent with the present order, remain in force.

Theodore P. Shonts is hereby appointed a member of the Isthmian Canal Commission, and its Chairman; Charles E. Magoon is hereby appointed a member of the Commission and Governor of the Canal Zone; the appointment as Governor shall take effect upon the date of his arrival on the Isthmus, and the resignation of the present incumbent of said office shall thereupon take effect; John F. Wallace is hereby appointed member of the Commission and Chief Engineer; Rear-Admiral Mordecai T. Endicott, U. S. N.; Brigadier-General Peter C. Hains, U. S. A. (retired); Colonel Oswald H. Ernst, Corps of Engineers, U. S. A., and Benjamin M. Harrod are hereby appointed members of the Isthmian Canal Commission.

THEODORE ROOSEVELT.

WAR DEPARTMENT,
Washington, D. C., March 30, 1905.

MR. PRESIDENT: In the matter of the reorganization of the machine by which the Panama Canal is to be built, I beg first to call your attention to the extreme importance of fixing a definite plan with respect to which you may feel reasonable certainty, first, that it can be practically executed and will result in a navigable canal, and, second, that the navigable canal will be the one best adapted to the demands which may be made upon it by the commerce of the world.

The Act of Congress evidently contemplates a canal with locks, the cost of which shall be in the neighborhood of \$200,000,000, including the money already expended. It is quite within the bounds of possibility that the best form of canal will be a sea-level canal, with a tidal lock only, at one end, and that the cost of it may exceed the \$200,000,000 in the mind of Congress by at least \$100,000,000 more.

The work of the engineering department of the present Commission has been largely devoted to obtaining the data upon which the plan of the canal must be determined. These data include topographical measurements, borings, the character of the soil, the flow of water in the rivers—all stated with sufficient exactness to secure the closest calculations by experienced engineers, though not on the ground. It is probable that within the next few months these data will have been so fully ascertained by the Chief Engineer, Mr. Wallace, and his assistants that they may be submitted to a board of engineers of the highest standing for recommendation as to the best plan upon which to proceed with the work.

It also has been made apparent, by the reports of Mr. Wallace and the Commission, that whatever plan is likely to be adopted, work of excavation and construction which would have to be done under any plan may proceed without waste of energy for a period quite long enough to enable you to decide which is the best plan.

I suggest, therefore, that the first work to be done is the appointment of an advisory board of engineers, say seven or nine in number, to be selected from the engineers having especial knowledge of hydraulic engineering and canal construction, to whom shall be submitted all possible information with respect to the projected Panama Canal, both that obtained by the French engineers before our purchase of the plant, and the data obtained by the Chief Engineer of the present Canal Commission, together with all projects suggested for the solution of the problem which the Canal Commission deem reasonably possible or practicable; that this advisory board be invited to Washington for the purpose of agreeing upon its recommendations in the premises, and that, if possible, such recommendations be made before the regular meeting of Congress in December; that the recommendations be submitted to the Canal Commission as then constituted for its approval or modification, and, with the recommendations of the Canal Commission, be submitted to the President for his action and transmission to Congress. As already suggested, this work of securing the best plan and its approval by Congress need not delay in any way the preliminary work adapted to any possible plan, or the highly critical work of sanitation, the extreme importance of which you have already emphasized in your previous instructions to the Canal Commission.

It is conceded, even by its own members, that the present commission has not so developed itself into an executive body as to give hope that it may be used successfully as an instrumentality for carrying on the immense executive burden involved in the construction of the canal, and it remains for the President, in the failure of Congress to act, to reorganize the Commission, both by change in personnel and by certain instructions as to its internal procedure and distribution

of powers and authority, to secure greater rapidity and efficiency in the doing of the work.

It is not to be supposed that Congress intended that the Commission was personally to do the work, or to come nearer to the direct agencies in doing the work than the directory of a railroad comes to the construction of railroad work, and we may assume, therefore, that it was quite within the Congressional intention that the Commission might, for convenience and rapidity of action, after formulating the general plan of work, delegate to a committee or committees the doing of the work in detail, the result to be reported subsequently, of course, to the full Commission. The Commission should, therefore, appoint an Executive Committee, to be constituted and empowered as hereafter stated.

The actual executive work must be divided by the Commission into departments. One department would naturally be the Political Department; that is, the control of the Zone, over which there should be an administrator or governor, and to secure harmony of action, the wise policy is that already followed of appointing a member of the Commission to be Governor. This department should include, as it does now, the Bureau of Sanitation, because the latter involves policing the Zone and the two cities of Colon and Panama. Another department should be the Engineering Department, or department of construction, under which the work is to be organized and actually done. It should include the custody of supplies and the care of plant, and the practical operation of the railroad on the Isthmus, with the special view to its utilization in canal construction. The Chief Engineer must be the head of this, and is so important a factor in the whole enterprise that he should be given the powers and dignity of a member of the Commission also. Another, and in many respects the most important department, is that which embraces the functions of financing the operations of the Commission, of purchasing the supplies, of the accounts and audits, the commercial operations of the Panama Railroad Company and the steamship lines, the general oversight of the work and the duty of reporting the progress of the same through the Secretary of War to the President. The head of this department should be the Chairman of the Commission. All subordinates in departments should be appointed by the heads thereof under those provisions of the civil service law which may have been made applicable, and their salaries fixed by same authority, subject to the approval of the Commission, or, in the intervals between the meetings of the Commission, by the Executive Committee.

An important change from the present condition of affairs should be the transfer of the headquarters of the Commission from Washington to the Isthmus of Panama, where the work is to be done. No meeting of the Commission or Executive Committee should be held

out of the Isthmus except by express authority of the Secretary of War. The attention of all engaged in the enterprise will thus be fixed on the work. With the general authority of the Executive Committee, it will be entirely possible for the work to proceed unhindered without more frequent meetings of the Commission than once a quarter. The Executive Committee should have power to act while the commission is not in session in the purchase of all supplies, to confirm all officers and employes except heads of departments, and to fix their salaries, and to make contracts for construction. The Executive Committee thus appointed should keep accurate minutes of its transactions and submit them to the Secretary of War and the Commission, which, having found the same to be within the authority of the committee and executed, shall ratify and confirm them, or, if unexecuted, may revise them. Contracts for the purchase of supplies or of construction, the estimated cost of which may exceed \$10,000 should be let after due public advertisement, upon plans and specifications approved by the Executive Committee or by the Commission, unless with the approval of the Secretary of War, on grounds of an emergency in a special case, such advertisement be dispensed with. In all other purchases or contract involving the expenditure of more than \$1,000, real competition should be invited when practicable. By means of an executive committee constantly in session the delays incident to awaiting the decision of a large body like the Commission may be avoided, while its examination of the doings of the Executive Committee every three months, and its power to reverse unauthorized acts and to revise everything not completely executed, will insure the conservation sought by the establishment of the larger board.

The change of headquarters and power from Washington to the Isthmus will doubtless require a radical change in the office of the Commission in Washington. I am quite sure that greater economy and more satisfactory methods of accounting can be secured than now exist. Machinery for purchase of supplies and a force sufficient to maintain a duplicate set of accounts and the necessary correspondence must, of course, be maintained in Washington, but very little else is needed. But these changes may be safely left to the Commission and the Executive Committee as newly constituted.

I beg to submit herewith the resignations of all the present Canal Commission, to take effect at your pleasure.

I respectfully recommend the appointment of a new Commission and a designation of the Chairman of the Commission, the Governor of the Zone, and the Chief Engineer, and the issuing of an executive order embodying the recommendations herein.

Respectfully yours,

WM. H. TAFT,
Secretary of War.

The PRESIDENT.

By direction of the President, and in accordance with his order of April 1, 1905, each of the seven members of the Isthmian Canal Commission shall be allowed and paid a salary of \$7,500 per annum as such member. In addition to their several salaries as members of the Commission, the Chairman of the Commission shall be allowed and paid a salary of \$22,500 per annum; the Chief Engineer shall be allowed and paid a salary of \$17,500 per annum, and the Governor of the Zone shall be allowed and paid a salary of \$10,000, and each of said officers shall be allowed the use of a furnished dwelling house on the Isthmus; the members of the Commission other than the heads of the above-named departments will be allowed and paid their actual and necessary expenses while in attendance at the regular or specially called meetings of the Commission held on the Isthmus, and also their actual traveling expenses to and from the meetings of the Commission on the Isthmus or at Washington, as the case may be; and the three heads of the departments above mentioned shall be allowed and paid their expenses of travel while on the business of the Commission.

The present Governor of the Zone, Major-General George W. Davis, will be allowed and paid up to the date when his resignation as Governor becomes effective, and notwithstanding his resignation as a member of the Commission, compensation at the same rate as he is now receiving as a member of the Commission and as Governor of the Zone, together with his actual and necessary traveling expenses to his home in the United States.

WM. H. TAFT,
Secretary of War.

APRIL 3, 1905.

At a meeting of the Commission, as reorganized, held April 3, 1905, at its office in Washington, consideration was given as to the best method of securing results in construction and of making more effective the administration of the work of the Commission; and after consideration, the Commission, upon its own judgment and by its own conclusions, duly and unanimously adopted the following resolutions:

Resolved:

1. The Commission shall hold quarterly sessions the first day of January, April, July and October of each year, at the office of the Governor on the Isthmus of Panama, and shall continue each session

as long as public business may require. Further notice of such meetings shall not be necessary to their regularity. The Commission may hold special sessions at the call of the Chairman. Four members shall constitute a quorum, and the action of such majority shall be the action of the Commission. A copy of the minutes of each meeting of the Commission shall be immediately forwarded to the Secretary of War.

2. For convenience, and to secure the uninterrupted course of the work, an Executive Committee of three members of the Commission is hereby appointed by the Commission to act in place of the Commission during the intervals between the meetings of the Commission, and to report its doings in full to the Commission at the next regular meeting. A minute of every transaction of the Executive Committee shall be made, and one copy of the minutes shall be immediately forwarded to the Secretary of War and another transmitted for the consideration of the Commission at its next meeting. Regular meetings of the Executive Committee shall be held at the office of the Governor on the Isthmus of Panama at 10 o'clock in the forenoon on each Monday and Wednesday of every week, and further notice of such meetings shall not be necessary to their legality. A majority of their number shall constitute a quorum for the transaction of business at such meetings. The action of such majority shall be the action of the Executive Committee.

On motion, the following Commissioners were appointed members of the Executive Committee—i. e., Theodore P. Shonts, Charles E. Magoon, and John F. Wallace.

3. For convenience of executing the work to be done, there shall be constituted three executive departments:

(a) The head of the first department shall be the Chairman of the Commission, who shall have direct and immediate charge of:

1. The fiscal affairs of the Commission.
2. The purchase and delivery of all materials and supplies.
3. The accounts, bookkeeping and audits.
4. The commercial operations in the United States of the Panama Railroad and steamship lines.

5. He shall have charge of the general concerns of the Commission, subject to the supervision and direction of the Secretary of War, and shall perform such other duties as may be placed upon him from time to time by the Secretary of War.

(b) The head of the second department shall be the Governor of the Zone, with the duties and powers indicated in the Executive Order of May 9, 1904, which includes, in general:

1. The administration and enforcement of law in the Zone.
2. All matters of sanitation within the Canal Zone, and also in the cities of Panama and Colon and the harbors, etc., so far as author-

ized by the treaty and the Executive Orders and Decree of December 3, 1904, between the United States and the Republic of Panama relating thereto.

3. The custody of all supplies needed for sanitary purposes, and such construction necessary for sanitary purposes as may be assigned to this department by the Commission.

4. Such other duties as he may be charged with from time to time by the Secretary of War.

5. He shall reside on the Isthmus, and devote his entire time to the service, except when granted leave of absence by the Secretary of War.

(c) The head of the third department shall be the Chief Engineer. He shall have full charge on the Isthmus:

1. Of all the actual work of construction carried on by the Commission on the Isthmus.

2. The custody of all the supplies and plant of the Commission upon the Isthmus other than all supplies needed for sanitary purposes.

3. The practical operation of the railroad on the Isthmus with the special view to its utilization in canal construction work.

4. He shall reside on the Isthmus, and devote his entire time to the service, except when granted leave of absence by the Secretary of War.

4. All officers and employes shall be appointed and their salaries shall be fixed by the head of the department in which they are engaged. Their appointment and salary shall be subject to the approval either of the Commission or, if the Commission is not in session, of the Executive Committee. The employment of laborers, where the contract of employment is made in the United States or outside of the Isthmus, shall be negotiated and concluded by the Chairman of the Commission, subject to the approval of the Executive Committee. Where the employment of laborers is effected upon the Isthmus, it shall be conducted under the supervision of the Chief Engineer, subject to the approval of the Executive Committee. The Commission shall maintain a complete system of accounts on the Isthmus, which shall be duplicated in Washington, so that there may always be in Washington the proper means of informing the President, the Secretary of War, and the Congress of the amount of work done, the cost of the same, the amount of money available, the amount of money expended, and the general financial condition of the enterprise.

5. Contracts for the purchase of supplies or for construction involving an estimated expenditure exceeding \$10,000 shall only be made after due public advertisement in newspapers of general circulation, and shall be awarded to the lowest responsible bidder, except in case of emergency, when, with the approval of the Secretary of War, advertising may be dispensed with. In the

making of contracts for supplies or construction involving an estimated expenditure of more than \$1,000 and less than \$10,000, competitive bids should be secured by invitation or advertisement whenever practicable.

6. The executive officers of the Commission shall make duplicate reports upon the work and operation of their respective departments to the Secretary of War and the Isthmian Canal Commission from time to time and as often as may be required by the Secretary of War or the Chairman of the Commission.

Upon further motion it was duly and unanimously

Resolved, That the accounts and financial records and affairs of this Commission as recently constituted be examined, audited and reported upon by auditors engaged independently of the existing office force, and that for this purpose the Public Accountants' Corporation, now in the service of the Commission, be employed to make such examination, audit and report at the earliest practicable date.

Resolved, further, That the books of account of the Commission at the Panama and Washington offices be promptly balanced as of this date, and that the books, vouchers, and records of the Commission up to this date be carefully identified and preserved for reference in the future, but that the transactions of the Commission as newly constituted be not entered therein, but be entered in an entirely new set of books of account, and that the records thereof be separately kept and preserved, so that the proceedings of the Commission as constituted can be readily and conveniently distinguished and accounted for independently of each administration; and the Secretary is directed to transmit copies of this resolution to the heads of departments for their information and guidance.

Resolved, further, That the Chairman be and he is hereby authorized and directed to cause to be inaugurated a system of book-keeping, accounting and reports by which most conveniently, accurately and intelligibly the operations of the Commission can be noted and considered, both as respects this Commission itself and the authorities to which it is directly accountable—the President, the Congress, and the Secretary of War; and for this purpose he is authorized to employ such person or persons and incur such expenses as he may deem advisable to accomplish the purpose.

The Commission considered the subject of Office Organization in Washington, in view of the resolutions adopted at this meeting, and the concentration of practical work more largely upon the Isthmus.

Thereupon it was duly and unanimously

Resolved, (1) That, so far as practicable, the work of the Commission be concentrated on the Isthmus of Panama, and that the Washington office be conducted upon this basis; and that the

Commission promptly proceed in the examination and consideration of the present organization and personnel thereof in the Washington office for action of the Commission in due course.

Resolved, (2) That, for greater effectiveness in the administrative work of the Commission, there is hereby established at Washington an "Office of Administration" for the conduct of such operations as the Commission may, from time to time, determine to there conduct, and which shall include:

Records concerning all purchases and delivery of material and supplies (including commissary stores).

Fiscal affairs.

General books of account, containing details of all transactions of the Commission in the United States and adequate summary of all other accounts on the Isthmus. Duplicate accounts in summary being regularly transmitted from the Isthmus to the Washington office; vouchers and contracts to be taken in sufficient number in original to at all times furnish to the office at Washington a complete and original set thereof.

General auditing and accounting.

Correspondence of the Commission in the United States.

Orders and directions from the President and the Secretary of War.

Engineering reports and plans.

Reports from officials and committees of the Commission.

Reports of the Commission and its officers and committees to the Secretary of War, the President, and Congress.

WAR DEPARTMENT,

Washington, April 18, 1905.

By order of the President, Dr. H. R. Carter, Assistant Chief Sanitary Officer, and Mr. Eugene C. Tobey, Chief of the Accounts and Material Departments, are hereby appointed as members of the joint commission provided for by Articles VI and XV of the Canal Convention of February 26, 1904, vice Mr. Thomas W. Gaff and Dr. C. A. L. Reed resigned.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,

Washington, April 24, 1905.

There is hereby appropriated from the funds of the Government of the Canal Zone, Isthmus of Panama, deposited in the Treasury of said Government, the sum of Five Hundred dollars (\$500) gold, to be expended upon the order of the Governor of the Canal Zone, in payment of contingent expenses of said Government. The Government shall report the disbursements made from this fund to the Secretary of War.

WM. H. TAFT,

Secretary of War.

WAR DEPARTMENT,
Washington, May 31, 1905.

By direction of the President, and amendatory to the order of the Secretary of War of April 3, 1905, fixing the salaries and compensation of the members of the Isthmian Canal Commission, the Governor of the Zone and the Chief Engineer, members of the Executive Committee of the Isthmian Canal Commission, will be allowed and paid their actual and necessary expenses while away from the Isthmus of Panama on the official business of the Commission.

The Chairman until further orders will be allowed and paid his actual and necessary expenses while away from Washington on official business.

This ruling shall be effective as of the date of the original order, April 3, 1905, so amended.

WM. H. TAFT,
Secretary of War.

The Provisions of the Civil Service rules are waived to permit the following appointments in the Isthmian Canal Service:

Silas W. Lupton as assistant purchasing and shipping agent at New Orleans, Louisiana, from March 1, 1905; Fred R. Parke as assistant shipping agent at Washington, D. C., from March 27, 1905; E. S. Rockwell as auditing clerk in the General Auditor's Office at Washington, D. C.; William K. West as accountant in the General Auditor's Office at Washington, D. C., by transfer from the Auditor's Office on the Isthmus of Panama; Paul C. Norris as clerk, Office of Administration at Washington, D. C., by transfer from the Engineering Department on the Isthmus of Panama.

T. ROOSEVELT.

THE WHITE HOUSE, *June 8, 1905.*

It is hereby ordered that a Board of Consulting Engineers consisting of:

General George W. Davis,
Mr. Alfred Noble,
Mr. William Barclay Parsons,
Mr. William H. Burr,
General Henry L. Abbot,
Mr. Frederick P. Stearns,
Mr. Joseph Ripley,
Mr. Herman Schussler,
Mr. Isham Randolph,
Mr. Henry Hunter, nominated by the British Government,
Herr Eugen Tincauzer, nominated by the German Government,
M. — Guerard, nominated by the French Government,
M. — Quellenec, Consulting Engineer, Suez Canal,
and one engineer to be designated by the Government of The Netherlands,

shall convene in the City of Washington, at the rooms of the Isthmian Canal Commission, on the first day of September, nineteen hundred and five, for the purpose of considering the various plans proposed to and by the Isthmian Canal Commission for the construction of a Canal across the Isthmus of Panama between Cristobal and La Boca; and that the deliberations of the Board of Consulting Engineers shall continue as long as they may deem it necessary and wise before they make their report to the Commission.

The Isthmian Canal Commission is directed to have all the proposed plans in such detailed form, with maps, surveys, and other documents sufficient to enable the Consulting Engineers to consider and decide the questions presented to them. Should it be deemed necessary by the members of the Consulting Board, they may visit the Isthmus before making their final report. If there is a difference of opinion between the members of the Consulting Board, minority reports are requested.

General George W. Davis is hereby designated as Chairman of the Board of Consulting Engineers. Instructions more detailed will be given in time to be presented to the Board when it first convenes on the first of September.

The Chairman is charged with the duty of communicating to the other members of the board this order and the other details that may be necessary.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *June 24, 1905.*

It is ordered that Mr. Joseph L. Bristow, appointed Special Panama Railroad Commissioner by Executive Order dated January 13, 1905, be allowed until August 15, 1905, to complete the details in connection with his report, and will be paid his actual expenses and \$15 per day up to that time. In addition he will be allowed an extra compensation of \$2,500. The Isthmian Canal Commission is directed to provide the funds needed in the execution of this order.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *July 15, 1905.*

It is ordered that each member of the Advisory Board of Engineers upon plans of the Panama Canal shall be allowed \$5,000 payable upon the completion of the report of the Board. In addition thereto he shall when on duty with the Board be allowed \$15 per day for personal expenses from the date of leaving his home until his return thereto including Sundays and holidays. He shall also be allowed the actual cost of transportation incurred by him in travel on duty in connection with the Board to include cost of ticket by railway or steamer, sleeping or parlor car accommodations, baggage transfer, cabs and portorage.

It is further ordered that the allowances of \$5,000 to General Davis and General Abbot shall be increased by the amount of their retired pay for the time during which they are employed upon the work of the Board, it being my intention that those members of the Board shall receive the same compensation for this work as the other members and this increase being made to provide for the usual deduction of retired officers' pay.

THEODORE ROOSEVELT.

OYSTER BAY, *August 31, 1905.*

The Procedure required by Civil-Service Rule XII, clause 2, need not be observed in removals of officers or employees serving on the Isthmus of Panama. In such removals, however, the reasons therefor shall be made a part of the records of the Office of Administration, Isthmian Canal Affairs, and the Civil Service Commission shall upon request be furnished with copies or the originals thereof.

T. ROOSEVELT.

THE WHITE HOUSE, *September 8, 1905.*

AN ORDER RECITING EXECUTIVE ORDER OF THE PRESIDENT OF THE UNITED STATES, REQUIRING AN ACCOUNTING SYSTEM FOR THE GOVERNMENT OF THE CANAL ZONE, ISTHMUS OF PANAMA, PRESCRIBED WITH THE CONCURRENCE AND APPROVAL OF THE SECRETARY OF WAR FIRST HAD, RULES AND INSTRUCTIONS RELATIVE TO THE ACCOUNTING SYSTEM OF THE GOVERNMENT OF THE CANAL ZONE, ISTHMUS OF PANAMA.

Whereas, The President of the United States upon April 1, 1905, signed the following Executive Order:

“THE WHITE HOUSE,
“ *Washington, D. C., April 1, 1905.*

“The Commission is especially charged with the duty of maintaining a complete system of accounts on the Isthmus, which shall be duplicated in Washington, so that there may always be in Washington the proper means of informing the President, the Secretary of War, and the Congress, of the amount of work done, the cost of same, the amount of money available, the amount of money expended, and the general financial condition of the enterprise.”

Now, therefore, by the authority of the President of the United States, and with the concurrence and approval of the Secretary of War first had, be it ordered by the Isthmian Canal Commission that:

SECTION 1. The following rules and regulations shall apply to the accounting system of the Government of the Canal Zone, and shall take effect and be in force July 1, 1905.

RULES AND INSTRUCTIONS RELATIVE TO THE ACCOUNTING SYSTEM OF THE GOVERNMENT OF THE CANAL ZONE, ISTHMUS OF PANAMA.

THE GENERAL AUDITOR.

RULE 1. Pursuant to the provisions of section 10, Act No. 8, Laws of the Canal Zone, the General Auditor for the Isthmian Canal Commission and his duly authorized deputies shall receive, examine and settle all accounts pertaining to the revenues and receipts derived from the Canal Zone and expenditures paid therefrom, and certify the balances thereon to the Governor of the Canal Zone, and shall preserve the accounts and vouchers after settlement.

THE LOCAL AUDITOR.

RULE 2. In accordance with the Circular No. 15 of the Executive Committee of this Commission, and in further pursuance of section 10, Act No. 8, Laws of the Canal Zone, the Local Auditor in charge

of the accounts of the Isthmian Canal Commission, located on the Isthmus of Panama, shall discharge the duties and perform the services of the Auditor for the Government of the Canal Zone, and the acts of the Local Auditor, consistent with the prescribed regulations of the General Auditor, shall be binding upon the General Auditor until revoked or disapproved by overt act of the General Auditor.

THE CHIEF CLERK.

RULE 3. There shall be appointed by the Auditor, with the approval of the Isthmian Canal Commission, a Chief Clerk, who shall sign in the name of the Auditor such official papers as the Auditor may designate, and perform such other duties as the Auditor may prescribe. He shall have charge of the Bureau as Acting Auditor in case of death, resignation, sickness or other absence of the Auditor until his successor is appointed.

ACCOUNTS OF TREASURY DEPOSITS AND WITHDRAWALS.

RULE 4. The expenditure of moneys received through Canal Zone revenue shall be made on properly prepared and approved vouchers, approved for payment to be made by the Governor.

RULE 5. All receipts issued by the Treasurer for deposits with the Treasurer shall be in duplicate and shall be countersigned by the Auditor. When so countersigned, one receipt in every case shall be retained in the office of the Auditor and the other shall be delivered or transmitted by the Auditor to the person by whom the payment was made, after the same has been duly registered in all its particulars under proper headings.

RULE 6. The receipts retained by the Auditor will constitute the necessary check in his examination and settlement of the accounts of the Treasurer as the authority for charging the Treasurer with moneys received, and such receipts will be filed in the office of the Auditor with the accounts in which the credit is taken.

RULE 7. Vouchers paid by the Treasurer with the proper evidence of payment—which shall be the proper receipt of the payee thereon—shall constitute the vouchers upon which the Treasurer shall receive credit for payments made, and after the settlement of the accounts of the Treasurer by the Auditor, the vouchers shall be filed therewith.

RULE 8. The Auditor shall prescribe the forms for keeping and rendering all accounts subject to his examination and settlement, and issue all necessary instructions to the officers and agents rendering such accounts.

RULE 9. And in case any officer or agent whose duty it is to collect and receive moneys arising from the revenues of the Canal Zone, of whatever kind, and to make disbursements of such moneys for any purpose, shall fail to render complete accounts of such receipts and

disbursements to the Auditor, or to transmit the same within five days after the expiration of the month to which they pertain, or shall neglect to render the same when requested so to do, it shall be the duty of the Auditor forthwith to report such case to the Governor for proper action.

RULE 10. There shall be in the office of the Auditor a Division of Bookkeeping in which shall be kept proper books of entry and ledgers for recording the general accounts of the receipts and expenditures pertaining to the revenues of the Zone, and the personal accounts of agents and officers authorized to collect the same and the disbursement of moneys by the Treasurer upon vouchers as herein provided, and of all other accounts or claims allowed and certified by the Auditor, including accounts of appropriation. The system of bookkeeping adopted by the Auditor shall be a double-entry system.

RULE 11. The receipts issued by the Treasurer for moneys received on deposit, before being countersigned by the Auditor, shall be entered in a Ledger of Treasury Receipts as funds deposited, as Postal Receipts, Internal Revenue Receipts, Miscellaneous Receipts, or as Payments or Repayments to appropriations, or any subheading of these classes of deposits as may seem proper, respectively, and in making such entries from the Treasury receipts, the number and date of the receipt and the name and official designation, if any, of the person by whom the deposit was made, shall be noted. These funds shall thereupon be treated as one fund, known as the general fund from which all appropriations from "moneys in the Treasury not otherwise appropriated" shall be made.

RULE 12. All vouchers shall be charged against the available fund and against the account of the services and appropriation for which such voucher is drawn, and in making such debit entries the number and date of the voucher and the name of the person, with official designation, if any, to whom paid, shall be noted. The Auditor shall so keep his record as to be able to show at any time the amount of money disbursed on account of any appropriation, as shown by the voucher issued and by the accounts as audited.

REVENUE ACCOUNTS.

RULE 13. All officers or agents authorized to receive and collect moneys arising from the revenues of the Canal Zone, of whatsoever kind, shall be required to pay the full amounts received and collected by them respectively, to the Treasurer, and to render to the Auditor monthly accounts therefor within five days after the expiration of the month to which they pertain, accompanied by proper itemized and certified statements and returns of the revenues collected, showing when, by whom and on what account collected.

RULE 14. In the rendition of such revenue accounts the officers or agents will charge themselves with all revenues received and collected during the period covered by the account, and take credit for the amounts paid to the Treasurer as shown by the duplicate receipts in their possession and countersigned by the Auditor, the number and date of such receipts being noted in the entries of amounts paid to the Treasurer. These duplicate receipts will be retained by the officer or agent claiming credit therefor.

RULE 15. In the audit of such revenue accounts the Auditor shall compare and check the Treasury receipts of record in his office with the corresponding entries in the account of the officer or agent as rendered, making proper notation in the Treasurer's account of the counter credit to the depositor.

RULE 16. All revenue accounts shall be rendered and kept separately under the appropriate funds or heads of account to which they respectively pertain; that is, all revenues arising in the Department of Post Offices under the head of Postal Receipts; all revenues derived from internal taxes and duties, shall be entered under the head of Internal Revenue Receipts; all revenues from other sources under the head of Miscellaneous Receipts; and all refunds for overpayment under the heading of Repayments.

RULE 17. All officers or agents of the Government of the Canal Zone whose duty it is to collect and receive revenues or other moneys and deposit the same in the Treasury shall make deposits or remittances of same, regardless of the amount received or collected, as often as once a month, where safe and possible, and if there is no opportunity for such remittance within the month, as soon as possible thereafter, and a deposit shall be made in every case as soon as possible where the revenues or moneys in the hands of any officer or agent amount to two hundred dollars, United States Currency, or its equivalent in local currency: *Provided*, That no such officer or agent shall be required to make a deposit oftener than once a day, and *provided further*, That postmasters who are authorized to issue and pay money orders shall remit by registered mail to their designated depositary all sums received by them from sale of money orders in excess of their authorized reserve or the amount of the advices of unpaid orders on hand less than two weeks, such remittances to be made with each and every mail dispatch from their respective offices which may convey mail to the Treasurer.

RULE 18. Claims of officers or agents whose duty it is to collect or account for public money, for losses of funds in transit, by fire, burglary or other unavoidable casualty, shall be submitted to the Auditor within one month after such loss occurs, with all the evidence in the case, immediate advice of the fact to be sent to the Auditor pending forwarding of complete report. If the Auditor shall find

that the said funds were properly in the hands of such officer or agent, or properly remitted, or that the loss resulted through no fault of said officer or agent, he may *with the written consent of the Governor*, credit the account of such officer with the loss; *Provided*, That in no case shall a credit in excess of one thousand dollars be given in this manner. Claims for losses in excess of one thousand dollars shall be submitted through the Auditor and Governor for relief by action of the Isthmian Canal Commission.

RULE 19. The Auditor may with the written consent of the Governor mitigate, remit, remove, compromise, release or discharge any liability, in whole or in part, to the Government, in any matter before him, when, in his judgment, the interests of the Government seem to require it, subject to such restrictions as may be provided by law.

RULE. 20. The Auditor shall supervise the collection of all debts due the Government of the Canal Zone through the usual civil or judiciary channels, and institute all such measures as may be authorized by law to enforce the payment of such debts and recovery of all amounts found to be due said Government in connection with his settlement and adjustment of accounts.

MONEY ORDER ACCOUNTS.

RULE 21. The Auditor shall keep the accounts of the Money Order Business separately, and in such manner as to show the number and amount of money orders issued at each post office, and the number and amount paid, and the fees received. The Auditor shall certify quarterly the receipts as fees from the sale of money orders and require the same to be deposited with the Treasurer of the Zone as postal receipts. Losses of money order funds in transit, by fire, burglary, or other unavoidable casualty for which credit may be given shall be deducted from the fees collected before the quarterly transfer to the depositary of such fees as postal receipts.

RULE 22. Transfers of money from postal receipts to money order funds may be made by the postmaster, under such regulations as the Auditor may prescribe when his receipts from the sale of money orders are insufficient to pay the money orders drawn upon his office. Credit for such transfers of postal funds to money order funds will be taken in the monthly postal account of the postmaster. At the close of each quarter all such transfers of funds from postal to money order accounts shall be deposited by the Director of Posts, or other officer in charge of postal affairs, with the Treasurer of the Zone, as revenues for the service of the Division of Posts upon certification of the Auditor of the amount of such funds to be so deposited.

RULE 22½. The Treasurer of the Canal Zone shall be required to keep an account of money order funds deposited by postmasters with him to the credit of the Director of Posts, subject to his official draft,

when countersigned by the Local Auditor, drawn for needful advances to postmasters of funds with which to pay money orders lawfully drawn upon them, and it shall be the duty of all postmasters to make prompt remittances to the Treasurer of the Zone of all money order funds including all fees thereon, in their hands, not needed to meet drafts of which they have notice, the same to be deposited to the credit of the Director of Posts as money order funds.

JURISDICTION OF THE AUDITOR.

RULE 23. The jurisdiction of the Auditor for the Canal Zone over accounts and all vouchers pertaining thereto, shall be exclusive. His decision shall be final and conclusive upon administrative branches of the Government, except that appeals thereon may be taken by the party aggrieved or the head of the department concerned within one year, in the manner prescribed in Rule 36. The Auditor for the Zone shall, except as herein otherwise provided, have like authority as that conferred by law upon the several auditors of the United States and the Comptroller of the United States Treasury, and is authorized to communicate directly with any person or officer having claims before him for settlement, or with any officer or department having official relations with his office.

REPORTS.

RULE 24. The Auditor shall forward to the Secretary of War, not later than ten days after the expiration of each month, a full and complete report of all money received by the Treasurer during the preceding month, as shown by the entries made from the Treasury receipts retained in the Auditor's office; a statement of all payment of moneys made on vouchers during the preceding month, and an itemized statement of all other accounts covering receipts, disbursements and expenditures audited during the preceding month.

DEPOSITARY OF CANAL ZONE.

RULE 25. The Treasurer of the Canal Zone shall keep a properly detailed account in permanent books of record of moneys received by him, which shall be entered under appropriate heads, with the name of the agents, officers and persons from whom received, and the dates of receipt.

RULE 26. All moneys received by the Treasurer shall be credited, respectively, as deposits on account of post office receipts, as deposits on account of internal revenue receipts, on account of miscellaneous receipts, in accordance with the invoice accompanying the fund, which in all cases shall indicate the proper heading or classification under which the fund shall be credited.

RULE 27. The accounts of the Treasurer and of all officers and agents of the Canal Zone shall be kept in the money in which it is received and disbursed, but in all reports to the Secretary of War the amounts therein shall be stated in the money of the United States at the authorized rate of conversion.

RULE 28. The Treasurer shall issue receipts in duplicate for all moneys received, which shall be numbered consecutively, and shall bear the date upon which the deposit is actually made, and show from whom and what account received, and the amounts in money of the United States; and also when paid in any foreign coin or currency, the amounts and kind of foreign money in which payments are made shall be stated upon the receipts and the rates at which the same are reduced to money of the United States.

RULE 29. All receipts, original and duplicates, issued by the Treasurer, shall be registered and countersigned by the Auditor of the Zone, without which they shall be invalid, and for this purpose the Treasurer shall, immediately upon issuing each receipt in duplicate, transmit both receipts to the Auditor.

RULE 30. No payment shall be made by the Treasurer except upon vouchers approved by the Governor and registered by the Auditor, and such vouchers when paid and accompanied by proper evidence of payment, which shall be the receipt of the payee, shall be the voucher upon which the Treasurer shall receive credit in the settlement of these accounts.

RULE 31. The Treasurer shall render monthly accounts of the receipts and payments for account of the Government of the Canal Zone, and submit the same to the Auditor for examination and settlement, not later than ten days after the expiration of each month. In rendering such accounts the Treasurer shall charge himself with all moneys received during the period covered by the account, under the appropriate funds or heads of accounts.

RULE 32. The Treasurer shall take credit for all moneys paid out and file with the account the vouchers properly canceled.

RULE 33. The Treasurer of the Canal Zone shall give bond with sufficient surety, to be approved by the Isthmian Canal Commission, for the faithful performance of the duties herein prescribed, and for the full payment on demand of all balances found due, in such amount as shall from time to time be fixed by the Commission.

RULE 34. The Auditor shall make semi-annually, and oftener if deemed expedient, an examination of the books and accounts of the Treasurer of the Zone, and also an examination and count of the moneys in the hands of the Treasurer, and such other pertinent matters as may be desirable; and submit his receipt thereon to the Governor and Secretary of War.

TITLE TO BE OBSERVED IN THE RENDITION AND CERTIFICATION OF
ACCOUNTS.

RULE 35. All accounts of the Treasurer of the Zone and of the various officers and agents authorized to collect the revenues, receive moneys and make disbursements, and all other accounts subject to examination and settlement by the Auditor shall be with "The Government of the Canal Zone," and all balances certified by the Auditor shall be certified as due to or from said Government, as the case may be.

APPEALS FROM THE ACTION OF THE AUDITOR.

RULE 36. Any person aggrieved by the action or decision of the Auditor in the settlement of this account or claim by that officer, may within one year take an appeal in writing to the Governor, which shall specifically set forth the particular action of the Auditor to which exception is taken, with the reasons and authorities relied upon for reversing such action. If the Governor shall confirm the action of the Auditor, he shall so endorse the appeal and transmit it to the Auditor, and the action of the Auditor shall thereupon be final and conclusive. Should the Governor fail to sustain the action of the Auditor, he shall forthwith report his ground of disapproval to the Secretary of War, together with the appeal and the papers necessary for a proper understanding of the matter. The decision of the Secretary of War in such case shall be final and conclusive.

RULE 37. As soon after the close of each fiscal year as the accounts of said year may be settled and adjusted, the Auditor shall submit to the Governor, the Isthmian Canal Commission and the Secretary of War an annual report of the financial concerns of the Government of the Canal Zone, showing the receipts and disbursements of the various departments of the said Government of the Canal Zone, and make such other reports as may be required of him by the Governor, the Canal Commission or the Secretary of War.

RULE 38. The Auditor shall, at the time of settlement, send an official notification in writing to each person whose accounts have been settled in whole or in part in the Auditor's office, stating the balances found due thereon and certified, and the differences arising on such settlement by reason of disallowances or suspension made by the Auditor, or from other causes, which statement or differences shall be properly itemized. The reason for a disallowance or suspension of credit shall in all cases be stated.

RULE 39. A true copy of all orders of the Government of the Canal Zone which may originate a claim or in any manner affect the settlement of any account shall be transmitted to the Auditor by the proper officer.

RULE 40. Every contract under which a payment may be made shall be submitted to the Auditor with the account to which such payment pertains.

RULE 41. Wherever the word "Auditor" appears herein it shall be taken to mean the General Auditor for the Isthmian Canal Commission and his authorized corps of deputy auditors or local auditors to whom duties have been regularly assigned.

All orders of the Governor, and acts of the Isthmian Canal Commission, or parts thereof, which are in conflict with this order are hereby repealed.

Approved for the President.

WM. H. TAFT,
Secretary of War.

NOVEMBER 5, 1905.

When, in the judgment of the Civil Service Commission, no register contains an eligible having the special qualifications asked for by the Isthmian Canal Commission for service on the Isthmus of Panama, the Civil Service Commission may allow a temporary appointment, which may be made permanent on certificate of the Isthmian Canal Commission that such action is required in the interests of good administration.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *November 15, 1905.*

It is hereby ordered that the word "report" in the third line of the executive order of August 31, 1905, providing for an allowance of \$5,000 to each member of the Advisory Board of Engineers upon plans of the Panama Canal upon the completion of the report of the Board, be changed to "work." This change is made in order to permit the foreign members of the Board to receive their allowance before returning to their homes prior to the engrossing and signing of the completed report.

The amended order will read as follows:

"It is ordered that each member of the Advisory Board of Engineers upon plans of the Panama Canal shall be allowed \$5,000 payable upon the completion of the work of the Board. In addition thereto he shall when on duty with the Board be allowed \$15 per day for personal expenses from the date of leaving his home until his return thereto including Sundays and Holidays. He shall also be allowed the actual cost of transportation incurred by him in travel on duty in connection with the Board to include cost of ticket by railway or steamer, sleeping or parlor car accommodations, baggage transfer, cabs and portage.

"It is further ordered that the allowance of \$5,000 to General Davis and General Abbot shall be increased by the amount of their retired pay for the time during which they are employed upon the work of the Board, it being my intention that those members of the Board shall receive the same compensation for this work as the other members and this increase being made to provide for the usual deduction of retired officers' pay."

THEODORE ROOSEVELT.

THE WHITE HOUSE, *November 25, 1905.*

The quarterly session of the Isthmian Canal Commission for the first of January, next, may be held at the Office of the Commission in Washington, D. C., instead of at the office of the Governor of the Canal Zone on the Isthmus of Panama, as provided in Executive Order of April 1, 1905, in view of the necessity of the Commission for considering the report of the Advisory Board of Engineers, and the impossibility of leaving so soon for the Isthmus.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *December 7, 1905.*

Miss Anna F. McCormick may be permanently appointed to a position in the office of the Isthmian Canal Commission where she is at present temporarily employed.

T. ROOSEVELT.

THE WHITE HOUSE, *December 18, 1905.*

Mr. Ralph Whitman may be permanently appointed to the position of Engineer Draftsman in the Office of the Isthmian Canal Commission, where he is at present temporarily employed.

T. ROOSEVELT.

THE WHITE HOUSE, *January 8, 1906.*

Executive Order of November 15, 1905, as to appointments to positions in the service of the Isthmian Canal Commission upon the Isthmus of Panama, is hereby repealed.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *January 12, 1906.*

Schedule A of the civil service rules is hereby amended by striking out all of the present provisions of Section VIII and substituting therefor the following:

VIII. ISTHMIAN CANAL COMMISSION.

All officers and employees in the service of the Isthmian Canal Commission upon the Isthmus of Panama, except those who are to perform the duties of clerk, bookkeeper, stenographer, typewriter, surgeon, physician, trained nurse, or draftsman.

No person appointed to the service on the Isthmus of Panama otherwise than through competitive examination or by transfer or promotion from a competitive position shall be transferred to a competitive position.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *January 12, 1906.*

In order to more clearly express the intention prompting the issuance of the original order fixing the compensation and allowances of the members of the Board of Consulting Engineers upon plans for the Panama Canal the Executive Order of August 31, 1905 is hereby amended to read as follows:

"It is hereby ordered that each member of the Advisory Board of Engineers upon plans for the Panama Canal shall be allowed \$5,000, payable upon the completion of the report of the Board. In addition thereto he shall receive \$15 per day during the time he may be engaged upon the work of the Board, including Sundays and legal holidays, from the date of first leaving home to assemble as a Board until the date of arrival at home after the conclusion of his services on said Board. For the time, subsequent to final adjournment, required in closing the work of the Board, in completing its records, printing its report and appendix matter, and in distribution of the same, the Chairman is allowed the same per diem for 15 days additional.

"Each member shall also be allowed the actual cost of transportation incurred by him in necessary travel in connection with the work of the Board, to include cost of ticket by railway or steamer, sleeping or parlor car accommodations, baggage transfer, cabs and portorage.

"It is further ordered that the allowances to General Davis and General Abbot shall be increased by the amount of their retired pay for the time during which they are employed upon the work of the Board, it being my intention that those members shall receive the same compensation for this work as the other members and this increase being made to provide for the usual deduction of retired officers' pay."

THEODORE ROOSEVELT.

THE WHITE HOUSE, *February 19, 1906.*

The order of the Secretary of War of April 3, 1905, fixing the salaries of the members of the Isthmian Canal Commission is hereby revoked, and it is ordered as follows:

That Theodore P. Shonts, Chairman of the Commission receive a salary of thirty thousand dollars per annum;

That Charles E. Magoon, Commissioner, receive a salary of seventeen thousand five hundred dollars per annum;

That Mordecai T. Endicott, Peter C. Hains, Oswald H. Ernst, and Benjamin M. Harrod, Commissioners, each receive as such, seven thousand five hundred dollars per annum;

That the Chief Engineer of the Commission receive a salary of thirty thousand dollars per annum;

That Theodore P. Shonts, Charles E. Magoon, and the Chief Engineer of the Commission be allowed the use of a furnished dwelling house on the Isthmus; that Commissioners Endicott, Hains, Ernst and Harrod be allowed and paid their actual and necessary expenses while in attendance at the regular or specially called meetings of the Commission held on the Isthmus, and also their actual traveling expenses to and from the meetings of the Commission on the Isthmus or at Washington as the case may be; and that Theodore P. Shonts, Charles E. Magoon, and the Chief Engineer of the Commission be allowed and paid their expenses of travel while on the business of the Commission.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *February 26, 1906.*

In order more clearly to express the intention of the Executive Order, dated The White House, February 26, 1906, fixing the salaries and allowances of the members of the Isthmian Canal Commission, it is hereby ordered that the Chairman of the Commission be allowed and paid his actual and necessary expenses while away from Washington on official business of the Commission, and the Governor of the Canal Zone and the Chief Engineer of the Commission be allowed and paid their actual and necessary expenses while away from the Isthmus of Panama on official business.

This interpretation shall be effective as of the date of the original order, February 26, 1906, so amended.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 26, 1906.*

Appointments to clerical positions on the Isthmus of Panama paying less than \$75 in gold per month may be made without examination under the civil service rules.

Transfers or promotions from one classified position to another on the Isthmus of Panama may be made without reference to the usual limitations, but shall be shown on the monthly report of changes in the service made to the Civil Service Commission. No transfer shall be made from the service on the Isthmus of Panama to the Office of Administration, Isthmian Canal Affairs, except in accordance with the transfer rules and regulations at present in effect.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *May 31, 1906.*

It is hereby ordered:

That Theodore P. Shonts, Chairman of the Commission, receive a salary of \$30,000 per annum.

That John F. Stevens, Commissioner, receive no additional salary over that paid him as Chief Engineer.

That Charles E. Magoon, Commissioner, receive a salary of \$17,500 per annum.

That Mordecai T. Endicott, Peter C. Hains, and Benjamin M. Harrod, Commissioners, each receive as such a salary of \$7,500 per annum.

That Theodore P. Shonts, Charles E. Magoon, and John F. Stevens be allowed the use of a furnished dwelling house on the Isthmus.

That the Chairman of the Commission be allowed and paid his actual and necessary expenses while away from Washington, on official business of the Commission, and that the Governor of the Canal Zone and the Chief Engineer of the Commission be allowed and paid their actual and necessary expenses while away from the Isthmus of Panama, on official business.

That Commissioners Endicott, Hains, and Harrod be allowed and paid their actual and necessary expenses while in attendance at the regular or specially called meetings of the Commission, held on the Isthmus, and also their actual traveling expenses to and from the meetings of the Commission, on the Isthmus or at Washington, as the case may be.

All orders in conflict herewith are revoked.

THEODORE ROOSEVELT.

JUNE 30, 1906.

(11.30 p. m.; after adjournment of Congress.)

Appointments to clerical positions on the Isthmus of Panama paying not more than \$75 in gold a month may be made without examination under the civil service rules.

The employees named in the list agreed upon by the Office of Administration, Isthmian Canal Affairs, and the Civil Service Commission, who were appointed either temporarily to meet the urgent needs of the service in the absence of available eligibles, or were appointed immediately after the signing of the order of January 12, 1906, through a misapprehension of its provisions, may be permanently appointed.

THEODORE ROOSEVELT.

Approved July 17, 1906.

List of temporary employees made eligible for permanent appointment by Executive order of July 17, 1906.

Names.	Grade.	Salary.	Division.
Weedon D. Williams.....	Copyist.....	\$75.00	Municipal Engineering.
Ralph W. Border.....	do.....	75.00	Mechanical Division.
R. C. Livingston.....	Clerk I.....	83.33	Culebra Division.
Philip P. Moseley.....	Copyist.....	75.00	Building Construction.
Charles G. Smith.....	do.....	75.00	Culebra Division.
Charles E. Athey.....	Clerk III.....	125.00	Mechanical Division.
Edward W. Wilson.....	do.....	125.00	Labor and Quarters.
Simon Herz.....	do.....	125.00	Mechanical Division.
George A. Marquis.....	do.....	125.00	Do.
Louis Mantovani.....	Draftsman.....	83.33	Do.
Robert L. Turner.....	Mess Clerk.....	40.00	Labor and Quarters.
Frederick Crisp.....	Clerk II.....	100.00	Mechanical Division.
C. N. Messelongshtes.....	Clerk III.....	125.00	Do.
Lewin W. Walker.....	Clerk I.....	83.33	Do.
Hildebert Rutherford.....	Copyist.....	75.00	Building Construction.
C. L. Hase.....	Mess Clerk.....	100.00	Labor and Quarters.
Albin Ralston.....	do.....	60.00	Do.
William D. Gillespie.....	Clerk III.....	125.00	Mechanical Division.
Robert Fouillebois.....	do.....	125.00	Do.
Harold A. Head.....	Mess Clerk.....	40.00	Labor and Quarters.
Ernest Booth.....	do.....	40.00	Do.
Melvin J. Kimball.....	Clerk II.....	100.00	Mechanical Division.
Paul Prat.....	Draftsman.....	100.00	La Boca Division.
Thomas B. Colville.....	Clerk II.....	100.00	Building Construction.
Thomas A. Fletcher.....	Copyist.....	75.00	Cristobal Division.
M. L. Padgett.....	Chief of Division.....	150.00	Building Construction.
Aristides Alfaro.....	Copyist.....	.....	Engineering Department.
E. W. Fraser.....	Clerk.....	.....	Division Material and Supplies.
Alex. Alich.....	do.....	.....	Engineering Department.
Thomas L. Cook.....	Inspector of Revenues.....	.....	Government and Sanitation.
Eugene V. St. V. Sargent.....	Clerk.....	.....	Do.
V. Ridgeley Martin.....	Inspector of Customs.....	.....	Do.
Isaac Carlos Ames.....	Clerk.....	.....	Division Material and Supplies.
Edward Kearney.....	do.....	.....	Local Auditor.
Dr. Herman Canfield.....	Internec.....	.....	Government and Sanitation.
George R. Hands.....	Clerk.....	.....	Do.

WAR DEPARTMENT,
Washington, July 27, 1906.

By authority of the President of the United States, it is hereby ordered that rule 17 of the Rules and instructions relative to the Accounting system of the Government of the Canal Zone, Isthmus of Panama, be amended by striking out the last words in the paragraph, reading, "such remittances to be made with each and every mail dispatch from their respective offices which may convey mail to the Treasurer," and inserting in lieu thereof the words, "such remittances to be made with at least one mail dispatch on each day during which their respective offices may be open for the transaction of business."

WM. H. TAFT,
Secretary of War.

The quarterly session of the Isthmian Canal Commission, which, under the Executive Order of April 1, 1905, would ordinarily be held on the first day of October, next, may be held at the office of the Governor of the Canal Zone on the Isthmus of Panama on the 15th day of November, 1906, instead of on the date above mentioned.

THEODORE ROOSEVELT,

President.

THE WHITE HOUSE, *September 20, 1906.*

The sum of Fifty Thousand Dollars (\$50,000) of the funds of the Government of the Canal Zone, Isthmus of Panama, is hereby apportioned to be devoted to public school purposes during the fiscal year ending June 30, 1907. It shall be expended in the purchase of real estate to be used as building sites for schoolhouses, the erection of schoolhouses, rent of buildings for schoolrooms, equipment of schoolrooms for school purposes, including desks and furniture, books, maps, etc., and compensation for teachers.

The sum hereby rendered available for schools shall be expended by direction of the Governor of the Canal Zone, and accounted for by proper vouchers. The governor shall report his action under this authority to the Secretary of War.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, September 24, 1906.

There is hereby apportioned from the funds of the Government of the Canal Zone, Isthmus of Panama, the sum of One Thousand Dollars (\$1,000), to be expended upon the order of the Governor of the Canal Zone in the payment of the contingent expenses of said Government during the fiscal year ending June 30, 1907. The Governor shall report the disbursements made from this fund to the Secretary of War.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, September 24, 1906.

Whereas, Section 7 of the Executive Order issued by direction of the President of the United States under date of December 3, 1904, provides that, "The authorities of the Canal Zone shall purchase from the Republic of Panama such stamps as the authorities of the Canal Zone desire to use in the Canal Zone at forty per centum of their face value":

Authority is hereby given for the expenditure, from the funds of the Government of the Canal Zone, Isthmus of Panama, deposited in the Treasury of said Government, of such sums as may be necessary, from time to time, for the purchase of stamps from the Government of Panama for surcharging for use in the Canal Zone. The sums hereby rendered available for the purchase of stamps shall be expended by direction of the Governor of the Canal Zone, and accounted for by proper vouchers. The Governor shall report his action under this authority to the Secretary of War.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, November 17, 1906.

The Executive Order of April 1, 1905, is hereby changed as follows:

The Commission will hold quarterly sessions the first week in February, May, August, and November, of each year, on the Isthmus of Panama, and will continue each session as long as public business may require. Further notice of such meetings shall not be necessary to their regularity. The Commission may hold special sessions at the call of the Chairman. Four members shall constitute a quorum and the action of such majority shall be the action of the Commission.

The Commission, under the supervision of the Secretary of War and subject to the approval of the President, is charged with the general duty of the adoption of plans for the construction and maintenance of the Canal, and with the execution of the work of the same; for the purchase and delivery of supplies, machinery and necessary plant; the employment of the necessary officers, employees and laborers, and with the fixing of their salaries and wages; with the operations of the Panama Railroad Company and Steamship Lines as common carriers; with the utilization of the Panama Railroad as means of constructing the Canal; with the Government and Sanitation of the Canal Zone and with all matters of sanitation in the cities of Panama and Colon and the harbors thereof; with the making of all contracts for the construction of the Canal or any of its needful accessories; and with all other matters incident and necessary to the building of a water-way across the Isthmus of Panama, as provided by the Act of Congress, June 28, 1902.

The Executive Committee, as provided for in my Executive Order of April 1, 1905, is hereby abolished.

In order to promote the greatest harmony between the heads of Departments, and to secure results by the most direct methods, the following organization shall be created:

The organization shall consist of the Chairman and the following heads of Departments: Chief Engineer, General Counsel, Chief Sanitary Officer, General Purchasing Officer, General Auditor, Disbursing Officer, and Manager of Labor and Quarters. The duties of each shall be as follows:

1. The Chairman shall have charge of all Departments incident and necessary to the construction of the Canal or any of its accessories.

2. He shall appoint the Heads of the various Departments, subject to the approval of the Commission.

3. The Head of each Department shall report to and receive his instructions from the Chairman.

4. He shall have charge of the operations of the Panama Railroad and Steamship Lines.

5. He shall perform such other duties as may be assigned to him from time to time by the Secretary of War.

A minute of every transaction of the Chairman shall be made and one copy of the minutes shall be forwarded to the Secretary of War and another copy transmitted for the consideration of the Commission at its next meeting.

The Chief Engineer shall have charge of:

1. All engineering work relating to the Canal and its accessories.

2. All construction work on the Isthmus of Panama.

3. The operation of the Panama Railroad so far as same relates to Canal construction work.

4. The custody of all the supplies and plant of the Commission upon the Isthmus.

5. In the absence of the Chairman from the Isthmus, the Chief Engineer shall act for him in all matters requiring prompt attention, such action to be reported to the Chairman for his action, but the action of the Chief Engineer shall be in full force and effect until disapproved by the Chairman.

The General Counsel shall have charge of:

1. All legal matters pertaining to the Commission, whether in the United States or on the Isthmus of Panama.

2. The administration of civil government within the Canal Zone, and shall exercise, through a local administrator, the authority heretofore vested in the Governor of the Canal Zone.

The Chief Sanitary Officer shall have charge of:

1. All matters of sanitation within the Canal Zone, and also in the cities of Panama and Colon, and the harbors, etc., so far as authorized by the treaty, Executive Orders and decrees of December 3, 1904, between the United States and Panama, relating thereto.

2. The custody of all medical supplies needed for sanitary purposes.

The General Purchasing Officer shall have charge of the purchase and delivery of all supplies, machinery, and necessary plant.

The General Auditor shall have charge of the general bookkeeping, of property accounts, of statistics, of administrative audit of the Commission, and of the accounting, bookkeeping, and audit of the Government of the Canal Zone.

The Disbursing Officer shall have charge of time keeping, of preparation of pay rolls and vouchers, and of payment of same.

The Manager of Labor and Quarters shall have charge of the employment of all necessary labor secured from the West India Islands or Central and South American countries; of the general personal records of all employees; of all quarters, and shall assign same to all employees of the Commission or of its contractors; and of the operation of all Commission hotels and mess houses.

APPOINTMENT OF OFFICERS.

All officers and employees shall be appointed, and their salaries shall be fixed, by the Head of the Department in which they are engaged. Their appointment and salaries shall be subject to the approval either of the Commission, or, if the Commission is not in session, of the Chairman.

The employment of laborers where the contract of employment is made in the United States, shall be negotiated and concluded by the Chairman of the Commission. Where the employment of laborers is effected upon the Isthmus, or outside of the United States, it shall be conducted under the supervision of the Chief Engineer, subject to the approval of the Chairman.

CONTRACTS.

Contracts for the purchase of supplies, involving an estimated expenditure exceeding \$10,000 shall only be made after due public advertisement in newspapers of general circulation, and shall be awarded to the lowest responsible bidder, except in the case of emergency, when, with the approval of the Secretary of War, advertising may be dispensed with. In the making of contracts for supplies or construction involving an estimated expenditure of more than \$1,000, and less than \$10,000, competitive bids should be secured by invitation or advertisement whenever practicable.

REPORTS.

The Head of each Department shall make a report upon the work and operation of his Department to the Isthmian Canal Commission from time to time and as often as may be required by the Chairman of the Commission.

The Chairman of the Commission will make a report to the Secretary of War, setting forth the results accomplished by each Department of the work, at least annually and as often as he may deem advisable or the Secretary may require.

The Secretary of War will make to the President a report at least annually, and as often as he may deem advisable or the President may require.

All Executive Orders relating to the subject of the Panama Canal, excepting so far as they may be inconsistent with the present order, remain in force.

THEODORE ROOSEVELT.

Effective this date, November 17, 1906.

T. R.

Mr. John E. Kidwell, Accountant (Pay-clerk) at \$2,200 per annum in the Isthmian Service may be transferred to a classified clerical position in the United States.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *February 21, 1907.*

WAR DEPARTMENT,

Washington, February 21, 1907.

The action of the Isthmian Canal Commission since March 4, 1905, in increasing from time to time the salaries of employees of the Canal Zone Government is hereby approved.

By order of the President.

WM. H. TAFT,

Secretary of War.

WAR DEPARTMENT,
Washington, February 28, 1907.

All acts and resolutions of the Isthmian Canal Commission passed since March 4, 1905, in so far as they effect changes in the "Laws of the Canal Zone" or other enactments of the Commission relative to the Government of the Canal Zone prior to March 4, 1905, are hereby approved.

By order of the President.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, February 28, 1907.

The action of the Isthmian Canal Commission under date of October 7, 1905, approving a resolution of the Executive Committee passed at a meeting thereof on August 2, 1905, providing that the premiums on surety bonds of employes of the Isthmian Canal Commission other than disbursing officers shall be paid out of the appropriation for the construction of a canal connecting the Atlantic and Pacific Oceans, and the action of the Commission at its meeting of July 5, 1906, providing that all employees of the Isthmian Canal Commission, including the Government of the Canal Zone, who disburse or collect moneys of the United States Government, and all officers or employees required to give bond as provided in the laws of the Canal Zone Government, be required to give bond for the faithful performance of their duties, in some corporate surety company to be designated by the Chairman of the Commission, in such amounts as the head of the Department under which they are employed shall consider proper, are hereby ratified and approved, anything contained in the "Laws of the Canal Zone" or other enactments of the Canal Commission relative to the Canal Zone Government prior to March 4, 1905, to the contrary notwithstanding.

By order of the President.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, March 4, 1907.

By direction of the President, it is hereby ordered that Joseph B. Bishop, Secretary of the Isthmian Canal Commission, be and is hereby placed in charge of the Washington office of the Commission until further order.

WM. H. TAFT,
Secretary of War.

THE WHITE HOUSE,
Washington, D. C., March 4, 1907.

John F. Stevens is hereby appointed Chairman of the Isthmian Canal Commission, vice Theodore P. Shonts, resigned, to take effect this day.

Lieutenant-Colonel George W. Goethals, United States Army Engineers, is hereby appointed a member of the Isthmian Canal Commission, vice John F. Stevens appointed Chairman thereof.

These appointments are made after the adjournment of Congress, and are recess appointments.

Chairman Stevens will receive no other salary than that which he now receives as Chief Engineer, to wit. \$30,000 a year.

Lieutenant-Colonel Goethals will receive compensation at the annual rate of \$15,000 a year, including his pay as a Lieutenant-Colonel of Engineers. The difference between \$15,000 and his pay as a Lieutenant-Colonel of Engineers will be paid out of the appropriation for the construction of the Panama Canal.

THEODORE ROOSEVELT.

By direction of the President, it is ordered:

SECTION 1. A deed or instrument in writing executed and delivered between parties competent to contract, and sufficiently describing the property conveyed, signed by the grantor, or, if the grantor be not able to write, with the grantor's mark, and witnessed in every case by two disinterested parties, shall be sufficient in law to convey the grantor's title to real estate, or any interest therein, and on and after July 1, 1907, real property shall not be conveyed in any other manner.

SEC. 2. No deed conveying any interest in real estate, nor mortgage of real property, shall be valid against subsequent creditors of and purchasers from the owner in good faith, unless the same shall have been recorded with the registrar of the administrative district in which the real estate lies.

SEC. 3. The clerks of the circuits courts of the Canal Zone shall act as registrars of land titles, as follows:

The clerk of the First Judicial Circuit Court for the administrative district of Ancon.

The clerk of the Second Judicial Circuit Court for the administrative districts of Emperador and Gorgona.

The clerk of the Third Judicial Circuit Court for the administrative district of Cristobal.

SEC. 4. For the purpose of recording all instruments required to be recorded under this order the registrar shall keep a well-bound and substantial book, and shall be entitled to charge for services rendered as registrar, as follows:

For each instrument recorded, ten cents, gold, per folio of one hundred words.

For cancelling mortgages or other instruments recorded with him, twenty-five cents, gold.

For each certified copy of an instrument recorded in his office, ten cents, gold, per folio.

SEC. 5. Any document relating to real estate or affecting property or personal relations, executed under the Spanish law prior to this order, may be recorded for the purpose of preservation.

Effective April 15, 1907.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., March 12, 1907.

By authority of the President, it is ordered:

That the patent, trade-mark, and copyright laws of the United States of America are hereby extended to and made effective within the Canal Zone, to the extent that any patent or copyright issued under the laws of the United States, or any trade-mark duly registered in the Patent Office of the United States, shall vest in the person to whom issued or in whose name registered, his assigns and licensees, subject to the protection of the Circuit and Supreme Courts of the Canal Zone, the same exclusive right of property therein that such person would possess in the United States.

Effective April 15, 1907.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., March 12, 1907.

By order of the President, Mr. B. S. Ambler and Mr. Montgomery Blair are hereby appointed members of a Joint Commission provided for by Articles VI and XV of the Treaty between the United States and the Republic of Panama of February 26, 1904.

They will be present upon the Isthmus on or before April 4, 1907.

They will receive an allowance of \$15 per day for their services from the time they leave the United States until their return there, and their actual traveling expenses and subsistence during the same period of time.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., March 12, 1907.

By direction of the President, it is ordered:

That no life, fire, accident, industrial, or indemnity insurance company shall be permitted to do business within the Canal Zone until it shall have complied with the following requirements:

1. It shall file with the Collector of Revenues:

(a) A certified copy of its articles of incorporation.

(b) A certificate of the Insurance Commissioner of the State of its incorporation showing that it is authorized to do business in the home jurisdiction.

(c) A resolution of its Board of Directors designating an agent within the Canal Zone upon whom legal process may be served.

(d) A certified copy of its last annual statement to the Insurance Commissioner of the State or country in which it may be incorporated; and from time to time thereafter copies of such additional reports as it shall make to the home Commissioner.

(e) A sworn statement, showing the amount of its capital stock paid in, its surplus, the amount of insurance it has outstanding, and the number of unsettled or uncontested claims pending against it.

2. It shall deposit with the Collector of Revenues \$10,000 in cash or current securities, which shall be available to satisfy any judgment that may be rendered against it under any insurance policy that it may issue.

3. Upon complying with these conditions and the payment of an annual fee of \$50, the Collector of Revenues will issue to such company a certificate authorizing it to do business within the Canal Zone. Such certificate, however, shall be terminable by the direction of the chief civil authorities of the Canal Zone; but if terminated without fault upon the part of the insurance company, a proportionate rebate of the license fee will be made to the insurance company.

4. Each company, as a condition of continuing to do business within the Canal Zone, shall file with the Collector of Revenues, between January 1 and March 1 of each year, a sworn statement showing the business done by it within the Canal Zone during the previous calendar year, and shall pay, on or before March 1, to the Collector of Revenues, in lieu of all other taxes save taxes upon real estate and the annual fee provided for in Section 3 hereof, a license tax equal to one and one-half per centum of its premium receipts for the calendar year preceding.

5. The agent of any unlicensed insurance company doing business within the Canal Zone shall be subject to a fine not exceeding \$25 for the first offense, and not exceeding \$100 for the second offense.

Effective July 1, 1907.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., March 12, 1907.

Under authority vested in me by law it is ordered:

That marriages in the Canal Zone may be celebrated by any minister of the Gospel in regular standing in the church or society to which he belongs, by the judge of any court of record, or by any municipal or district judge.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 13, 1907.*

Under authority vested in me by law it is ordered:

1. The Canal Zone, Isthmus of Panama, shall be divided into four administrative districts, to be known as Ancon, Emperador, Gorgona, and Cristobal. The districts of Ancon and Emperador shall be coextensive with the present municipal districts of Ancon and Emperador. The district of Gorgona shall be composed of the present municipal district of Gorgona and that portion of the municipal district of Buenavista lying south and east of a straight line passing through the center of the Panama Railroad Company's bridge No. 38 over the Agujeta River, and intersecting the boundaries of the Canal Zone with an inclination of forty degrees east of the magnetic meridian. The district of Cristobal shall be composed of the present municipal district of Cristobal and that portion of the municipal district of Buenavista lying north and west of a straight line passing through the center of the Panama Railroad Company's bridge No. 38 over the Agujeta River, and intersecting the boundaries of the Canal Zone with an inclination of forty degrees east of the magnetic meridian.

2. In each district there shall be appointed a tax collector, who shall discharge the duties of the present municipal treasurer and Board of Assessors. He shall be charged with the collection of license taxes, the assessment and collection of all ad valorem taxes, the preparation of head lists for work upon public improvements and the issuance of citations and collection of commutation taxes thereunder, the keeping of the Civil Register, the collection of rents from public and municipal property, the execution of leases thereof under direction of the Collector of Revenues, and in the proper case with the approval of the chief executive of the Canal Zone, the execution of deed therefor. He shall also represent the municipality in all necessary litigation affecting municipal property within his district, and shall from time to time discharge such other duties of a public nature as may be assigned to him by the duly authorized authorities of the Canal Zone. He shall keep books or rolls showing all assessments made, taxes and rents due, and collections made, and shall give such bond as may be required of him. He shall report to the Collector of Revenues and deposit all funds as he may be required with the Treasurer of the Canal Zone.

3. The existing regulations concerning the assessment and collection of taxes and the enforcement of tax liens shall be followed and

applied by the Tax Collector so far as the same are not inconsistent with the terms of this order. Unpaid taxes of every character shall constitute a personal claim against the person against whom they are levied, and taxes upon real property shall, in addition, until paid, constitute a lien upon the realty. With respect to ad valorem taxes or other taxes levied by assessment, an appeal shall be allowed to the Circuit Judge for the district, following a procedure to be prescribed by the Circuit Judges, by the owner or occupant in all cases where the assessment may be thought to be unduly high, or by the Collector of Revenues in all cases where it may be thought to be unduly low, when compared with assessments made upon similar property similarly situated elsewhere in the Zone. For the purpose of equalizing assessments in the several districts the three circuit judges shall once a year sit as a Board of Equalization.

4. There shall be appointed in each district a District Judge, who shall exercise all the authority now exercised by the Municipal Judges, and shall discharge such other duties as may from time to time be imposed upon him by law or executive order. There shall also be appointed for the whole Zone a fifth District Judge, to be known as the Senior District Judge, who shall sit wherever required of him and who shall once a month preside at and keep minutes of a conference of all the District Judges at which matters of common interest pertaining to their office shall be discussed. Any District Judge may temporarily be assigned to sit in any other district. Fines and fees shall be accounted for to the Collector of Revenues and paid in to the Treasurer of the Canal Zone.

5. Public works and improvements in the several districts shall be under the charge and direction of a Superintendent of Public Works appointed for the whole Zone, who shall also have charge and direction of slaughterhouse and market inspectors and shall discharge such other duties of a public character relative to the various districts as may be assigned to him.

6. Accounts shall be kept by the Collector of Revenues with each district and public improvements shall be distributed among the several districts with due regard to the revenue derived from each district. Rents derived from municipal property shall in all cases be expended upon public improvements or schools within the district from which it is collected.

7. Ordinances regulating police, sanitation, and taxation, and any other matters now regulated by ordinance, may be enacted, and existing ordinances may be repealed, by the Isthmian Canal Commission, with the approval of the Secretary of War. They may be made operative throughout the Zone, or confined to any particular district.

8. The municipal councils and all other municipal offices now existing under the laws of the Canal Zone are abolished.

9. The district officers herein provided for shall be appointed and their salaries fixed by the chief executive of the Canal Zone, subject to approval by the Commission.

10. The rules and regulations of the Isthmian Canal Commission compiled under the title of "Laws of the Canal Zone," in so far as they are inconsistent with this order, are modified and repealed.

Effective April 15, 1907.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 13, 1907.*

Under authority vested in me by law it is ordered:

Section 179 of the Penal Code of the Canal Zone is amended so as to read as follows:

"SECTION 179. An assault is punishable by fine not exceeding twenty-five dollars, or by imprisonment in jail not exceeding thirty days."

Section 181 of the Penal Code of the Canal Zone is amended so as to read as follows:

"SECTION 181. A battery is punishable by fine not exceeding one hundred dollars, or by imprisonment in jail not exceeding thirty days, or by both such fine and imprisonment."

Section 209 of the Penal Code of the Canal Zone is amended to read as follows:

"SECTION 209. Every parent of any child or husband of any wife lawfully chargeable with the support or maintenance of any child or wife, who abandons or willfully omits, without lawful excuse, to furnish food, shelter, or medical attendance to such child or wife is guilty of a misdemeanor."

Section 342 of the Penal Code of the Canal Zone is amended to read as follows:

"SECTION 342. Grand larceny is larceny committed in either of the cases:

"1. When the property taken is of the value of ten dollars and upwards.

"2. When the property is taken from the person of another.

"3. When the property taken is a horse, mare, gelding, cow, steer, bull, calf, mule, jack or jenny.

"4. When the property taken is the property of the United States, Isthmian Canal Commission, or Government of the Canal Zone."

Section 368 of the Penal Code of the Canal Zone is amended so as to read as follows:

"SECTION 368. Every person guilty of embezzlement is punishable in the manner prescribed for feloniously stealing property of the value of that embezzled; and where the property embezzled is an evidence of debt, or right of action, the sum due upon it or evidenced to be paid by it shall be taken at its value: *Provided*, That if the embezzlement or defalcation be of the property or public funds of the United States, Isthmian Canal Commission, or of the Government of the Canal Zone or of any municipality, city or village of the Canal Zone, the offense is a felony, and shall be punishable by imprisonment in the peniten-

tiary for not more than ten years; and the person so convicted shall be ineligible thereafter to any office or employment of honor, trust or profit with the United States, Isthmian Canal Commission, or Government of the Canal Zone."

Section 16 of the Code of Criminal Procedure is amended to read as follows:

"SECTION 16. District judges shall have original jurisdiction in all cases of misdemeanor wherein the fine that may be imposed may not exceed one hundred dollars or imprisonment in jail may not exceed thirty days, or both. They shall have jurisdiction of the Circuit Court in cases of violation of Zone or District ordinances."

THEODORE ROOSEVELT

THE WHITE HOUSE, *March 13, 1907.*

Whereas, by the act entitled "An Act to regulate the immigration of aliens into the United States," approved February 20, 1907, whenever the President is satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, it is made the duty of the President to refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such country or from such insular possession or from the Canal Zone;

And Whereas, upon sufficient evidence produced before me by the Department of Commerce and Labor, I am satisfied that passports issued by the Government of Japan to citizens of that country or Korea and who are laborers, skilled or unskilled, to go to Mexico, to Canada and to Hawaii, are being used for the purpose of enabling the holders thereof to come to the continental territory of the United States to the detriment of labor conditions therein;

I hereby order that such citizens of Japan or Korea, to-wit: Japanese or Korean laborers, skilled and unskilled, who have received passports to go to Mexico, Canada or Hawaii, and come therefrom, be refused permission to enter the continental territory of the United States.

It is further ordered that the Secretary of Commerce and Labor be, and he hereby is, directed to take, thru the Bureau of Immigration and Naturalization, such measures and to make and enforce such rules and regulations as may be necessary to carry this order into effect.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 14, 1907.*

Major William L. Sibert, Corps of Engineers, U. S. A., Major David Du B. Gaillard, Corps of Engineers, U. S. A., and Civil Engineer Harry H. Rousseau, U. S. N., are hereby appointed members of the Isthmian Canal Commission vice Benjamin Harrod, General Peter C. Hains, U. S. A., and Rear-Admiral Mordecai T. Endicott, U. S. N., resigned.

Major Sibert will receive compensation at the rate of \$14,000. per annum, including his pay as Major in the Corps of Engineers.

Major Gaillard will receive compensation at the rate of \$14,000. per annum, including his pay as Major in the Corps of Engineers.

Civil Engineer Rousseau will receive compensation at the rate of \$14,000. per annum, including his pay as an officer of the Navy.

Major William L. Sibert, Major David Du B. Gaillard, and Civil Engineer Harry H. Rousseau will each be allowed the use of a furnished dwelling house on the Isthmus and will be allowed and paid their actual and necessary expenses while away from the Isthmus of Panama on official business.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 16, 1907.*

The Order of March 4th is hereby amended so as to provide for Lieutenant-Colonel George W. Goethals, U. S. A., the use of a furnished dwelling house on the Isthmus of Panama, and he will be allowed and paid his actual and necessary expenses while away from the Isthmus on official business.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 18, 1907.*

Under authority vested in me by law, it is

Ordered, That the within Code of Civil Procedure shall be in force within the Canal Zone on and after May 1, 1907.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 22, 1907.*

Mr. W. P. Armstrong, law clerk at \$2400 per annum in the Isthmian Canal Commission, may be transferred to any other competitive position at a salary not exceeding \$2500 per annum, without reference to the limitations of the transfer rule.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 26, 1907.*

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Lieutenant-Colonel George W. Goethals, U. S. A., is hereby appointed Chairman of the Isthmian Canal Commission effective this date, vice John F. Stevens, resigned.

Chairman Goethals will receive the same compensation that was fixed in the Executive Order of March 4, 1907, appointing him a member of the Isthmian Canal Commission.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *April 1, 1907.*

Joseph C. S. Blackburn is hereby appointed a member of the Isthmian Canal Commission with compensation at the rate of \$14,000 per annum, effective this date.

Commissioner Blackburn will be allowed the use of a furnished dwelling house on the Isthmus of Panama and will be allowed and paid his actual and necessary expenses while away from the Isthmus on official business.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *April 1, 1907.*

ANCON, CANAL ZONE, *April 2, 1907.*

By direction of the President, it is ordered:

That until otherwise directed, the authority of the Governor or Chief Executive of the Canal Zone, under existing laws, resolutions and executive orders, shall be vested in and exercised by the Chairman of the Isthmian Canal Commission.

WM. H. TAFT,
Secretary of War.

AMENDMENT TO CIVIL SERVICE RULE X.

Section 8, clause (a), of Rule X, is hereby amended to read as follows:

“(a) He must have received absolute appointment and have actually served in the classified service at least six months next preceding the transfer; and if from one Executive Department to another at Washington, he must have served at least three years in the Department from which the transfer is proposed; if to or from the Interstate Commerce Commission, the Civil Service Commission, the Isthmian Canal Commission, the Government Printing Office, the Smithsonian Institution, or any other independent bureau, commission, or office at Washington, he must have served at least three years in the bureau, commission, office, or Department from which transfer is proposed; but when, in its judgment, the interests of the service so require the Civil Service Commission may waive the three year limitation in cases of transfers to or from such independent bureaus, offices, or commissions at Washington.”

THEODORE ROOSEVELT.

THE WHITE HOUSE, *April 15, 1907.*

Under authority vested in me by law it is ordered:

1. All marriages heretofore celebrated in the Canal Zone, by a minister of any religious society or denomination authorized by the forms and usages of his society or denomination to perform marriages, or by any judicial officer of the Canal Zone, shall be valid, anything contained in the laws of the Republic of Panama heretofore extended to the Canal Zone to the contrary notwithstanding.

2. Any judicial officer of the Canal Zone or minister of any religious society or denomination in good standing shall be authorized to celebrate marriages within the Canal Zone; provided that the contracting parties shall first have procured a marriage license of the circuit clerk of the circuit in which the marriage is to be performed. But no such license shall be issued unless the clerk is satisfied from the oaths of the parties and by other available evidence that the man to be married is not less than seventeen and the woman not less than fourteen years of age, and that no legal impediment to the marriage is known to exist.

3. The judicial officer or minister performing the marriage ceremony shall certify that fact upon and return the marriage license to the circuit clerk issuing the same, for registration. The circuit clerk shall be entitled to collect a fee of two dollars, gold, for issuing and recording the return of each marriage certificate.

4. Any judicial officer or minister within the Canal Zone violating the provisions of this order shall be guilty of a misdemeanor.

Effective June 1, 1907.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *May 31, 1907.*

AMENDMENT TO CIVIL SERVICE RULE X.

Section 8, clause (a), of Rule X, is hereby amended to read as follows:

“(a) He must have received absolute appointment and have actually served in the classified service at least six months next preceding the transfer; and if from one Executive Department to another at Washington, he must have served at least three years in the Department from which the transfer is proposed; if to or from the Interstate Commerce Commission, the Civil Service Commission, the Isthmian Canal Commission, the Government Printing Office, the Smithsonian Institution, or any other independent bureau, commission, or office at Washington, he must have served at least three years in the bureau, commission, office, or Department from which transfer is proposed; but when, in its judgment, the interests of the service so require, the Civil Service Commission may waive the three-year limitation in cases of transfers to or from such independent bureaus, offices, or commissions at Washington.

“The transfer of persons in the classified service in offices under the supervision of one of the nine Executive Departments but established and located outside such Departments—as for instance, employees and subordinates in postoffices, pension agencies, custom-houses, ordnance establishments, subtreasuries, navy yards, quartermasters’ establishments the field service of the Reclamation Service, and other services in like position—shall not be allowed where the person whose transfer is proposed has not served three years in the branch of the Executive Department from which his transfer is desired, unless the provisions of this section are waived by the Civil Service Commission in cases in which in its judgment the interests of the service so require. Transfers between the Executive Departments or independent bureaus, commissions, or offices, and the field services shall be subject to the regulation last mentioned.”

THEODORE ROOSEVELT.

THE WHITE HOUSE, *June 5, 1907.*

Mr. George S. Fox, bookkeeper at \$1,500 per annum, in the Isthmian Service, may be transferred to a classified position in the United States.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *June 11, 1907.*

By authority of the President of the United States, it is ordered:
That Act No. 24, enacted by the Isthmian Canal Commission by authority of the President under date of March 1, 1905, entitled "An Act providing for an inexpensive method of Administration upon the Estates of Employes of the Government of the Canal Zone, or of the Isthmian Canal Commission, who are citizens of the United States and who die in the Canal Zone, Isthmus of Panama, leaving estates of small value upon which regular administration is deemed inadvisable," be, and the same is hereby, amended by inserting in the third line of Section 1, after the words "Canal Zone," the words "or the Panama Railroad Company."

Effective July 1, 1907.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., June 22, 1907.

Under authority vested in me by law it is ordered:

1. On and after July 1, 1907, the purchase of materials and supplies for the Isthmian Canal Commission shall be transferred to the supervision of the Chief of Engineers of the Army, who shall maintain a Purchasing Department in the offices of the Isthmian Canal Commission in Washington.

2. Officers of the United States shall draw no additional compensation for services rendered in connection with the Purchasing Department of the Isthmian Canal Commission.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *July 1, 1907.*

The Executive Order of June 11, 1907, providing for the transfer of Mr. George S. Fox from the Isthmian Canal Service to the Federal Classified Service is hereby revoked.

THEODORE ROOSEVELT.

WHITE HOUSE, *August 3, 1907.*

Under authority vested in me by law it is ordered:

Effective August 12, 1907, the salaries of Lieut.-Col. W. C. Gorgas and Jackson Smith, Isthmian Canal Commissioners, are fixed at \$14,000 per annum.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *August 12, 1907.*

Under authority vested in me by law, it is ordered:

1. Offices for the convenient execution of its business within the United States shall be maintained by the Isthmian Canal Commission in Washington.

2. The following officers and employees of the Commission and their necessary force of assistants shall be provided with quarters therein: the General Counsel, General Purchasing Officer, Disbursing Officer in the United States, Assistant Examiner of Accounts, Appointment Clerk, Chief of Record Division, and Chief Draftsman.

3. The General Purchasing Officer shall provide the necessary offices and their appointments, and shall have general charge and custody of the same and of the discipline of the clerical force. Appointments in the United States of Commission employees shall be made by him, subject to the rules of the civil service law and of the Commission. He shall have charge of the records and archives of the offices, and of the distribution of correspondence.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *August 15, 1907.*

Under authority vested in me by law it is ordered:

1. That on and after August 15, 1907, the positions of General Auditor and Local Auditor be abolished.

2. That there be appointed for the Commission upon the Isthmus an Examiner of Accounts, and in Washington, D. C., an Assistant Examiner of Accounts.

3. The duties of the Examiner of Accounts on the Isthmus shall be:

(a) To inspect and examine all vouchers prepared and paid by the Disbursing Officer on the Isthmus.

(b) To inspect from time to time the accounts of all officials of the Commission on the Isthmus charged with the care of the funds or property of the Commission, and to annually verify property accounts by an inventory of all property.

(c) To semi-annually, or oftener if public interests seem to require, count the cash in the hands of disbursing officers and other officials on the Isthmus intrusted with the custody of funds of the Commission or of the Canal Zone Government.

(d) To check up from time to time as the interests of the Commission seem to require, through inspectors to be appointed by him, the returns of laborers and employees working by the day or upon an hourly basis in any of the several departments or divisions of the Commission. Inspectors now charged with similar duties under the Disbursing Officer shall be transferred to the jurisdiction of the Examiner of Accounts.

(e) To check from the appointment records the pay rolls of employees engaged upon a monthly or yearly basis.

(f) To examine periodically the general books of the Commission kept by the Disbursing Officer.

(g) To keep a record of claims payable to and of accounts and bills receivable by the Commission, and to check against the same collections made by the Disbursing Officers. It shall also be his duty to direct the attention of the Disbursing Officers from time to time to unsettled claims, accounts, or bills receivable by the Commission, and to urge their collection. Statements of all claims due the Commission or bills and accounts receivable shall be promptly transmitted by the department whence they originate to the Examiner of Accounts in order that he may have an independent record of the claims, accounts and bills receivable with the collection of which the Disbursing Officer is charged. The original evidence or documents supporting such claims, accounts, or bills receivable shall be transmitted to the Disbursing Officer for collection.

(h) All vouchers for accounts payable or receivable shall be examined and checked by him as soon after payment as practicable. He shall, also, at a later period and as promptly as possible after transmission to him of the Disbursing Officer's account current, certify thereon his administrative examination of and transmit the same, together with accompanying vouchers, to the Auditor for the War Department, for final audit. He shall not, however, keep duplicate sets of vouchers or of the documentary or other evidence from which the vouchers are prepared, but may keep a voucher register.

(i) If he dissents from any voucher paid by the Disbursing Officer, he shall note his exceptions and submit the same to the Disbursing Officer for correction, before the latter's account current is made up. If an agreement shall not be arrived at between the Examiner of Accounts and the Disbursing Officer, a statement of the unadjusted differences shall be transmitted by the Examiner to the Auditor for the War Department, with the Disbursing Officer's account current.

(j) He shall also audit the accounts of the Canal Zone Government.

(k) He shall be appointed by and report to the Chairman of the Isthmian Canal Commission, and it shall be his duty to call the attention of the Chairman to any irregularities in the accounts or books of any officer or employee of the Commission.

4. The duties of the Disbursing Officer on the Isthmus, in addition to the payment and disbursement of the funds of the Commission upon properly prepared vouchers, shall be:

(a) To assemble the original documents, papers, and other evidence from which the vouchers are prepared.

(b) To collect all claims due the Commission or accounts and bills receivable.

(c) To keep property accounts with the various officers upon the Isthmus charged with the custody or use of property.

(d) To keep the general books of the Commission, which shall properly classify all expenditures made by the Commission and apportion expenditures and the cost of labor and supplies among the several departments in the proportion in which they are used by the several departments.

(e) To furnish access at all times to his books, original papers, and documents, to the Examiner of Accounts and his representatives.

(f) To distribute expenditures made by the Commission under the proper appropriation heads.

(g) His books shall show the amount expended by each of the several departments during each calendar month and from the beginning of the work, and exhibit comparative statements of expenditures for the same calendar month of the previous year.

(h) His books shall likewise contain an exhibit of the work done by each department of the Commission, and by the Commission as a

whole, and shall show the comparative cost of doing similar work between corresponding annual dates and between the several departments.

(i) In the total cost of the work, as performed by the several departments and by the Commission as a whole, account shall be taken of the general expenditures of the Commission, whether on the Isthmus or in the United States.

(j) He shall transmit weekly abstracts of the general books to the Disbursing Officer at Washington, in order that duplicates of the same may be kept in the United States.

(k) Requisitions for public funds shall be submitted to the Examiners of Accounts, for notation.

5. The Assistant Examiner of Accounts, so far as the requirements of the work in the United States demand or permit, shall perform for the Commission in the United States similar duties to those performed by the Examiner of Accounts on the Isthmus, and shall likewise inspect the accounts of Special Disbursing Officers not employed on the Isthmus, which shall be forwarded to him at Washington for that purpose before transmission to the Auditor for the War Department. Abstracts of approved expenditures by the Special Disbursing Officers shall be periodically transmitted by him to the Disbursing Officer upon the Isthmus, for entry in the general books.

6. The Disbursing Officer in the United States, so far as the requirements of the work in the United States demand or permit, shall perform duties corresponding to those of the Disbursing Officer on the Isthmus, except that the general books kept by him shall only be duplicates of the general books kept by the Disbursing Officer on the Isthmus. He shall weekly transmit to the Disbursing Officer on the Isthmus abstracts of all payments, disbursements, and collections made by him and statements of approved vouchers outstanding.

7. The original documents from which the vouchers are prepared shall be transmitted to the Auditor of the Treasury for the War Department by the several Disbursing Officers, with their accounts current, through the Examining Officers. Duplicates of such documents, however, shall be retained in the offices of the several Disbursing Officers, as part of the records of the Commission.

THEODORE ROOSEVELT.

THE WHITE HOUSE, August 15, 1907.

Effective this date, Major Harry F. Hodges is appointed General Purchasing Officer of the Isthmian Canal Commission, under the supervision of the Chief of Engineers of the United States Army.

Requisitions for advancement of funds and supplies, and all vouchers before payment, payable in the United States from appropriations of the Isthmian Canal Commission, shall be approved by the General Purchasing Officer, for and on behalf of the Chairman of the Commission; and vouchers for payment for supplies purchased through the Purchasing Department in the United States shall, in addition, be certified to be correct by the Chief Clerk of the Purchasing Department, who shall also have power to receipt for the supplies.

In the absence of the General Purchasing Officer, vouchers shall be approved by any one who may be designated by the Chairman to act for the General Purchasing Officer in the latter's absence.

By direction of the President.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,

Washington, D. C., August 15, 1907.

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By direction of the President, it is ordered:

That C. Arosemena and S. Lewis, representatives of the Republic of Panama upon the joint tribunal assembled under Article VI of the Treaty between the United States and the Republic of Panama proclaimed February 26, 1904, during the current year, be paid fifteen dollars per day for the time actually employed by them as members of the joint tribunal.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., August 15, 1907.

By direction of the President, it is ordered:

That Messrs. B. S. Ambler and Montgomery Blair, joint commissioners under Articles VI and XV of the Treaty between the United States and the Republic of Panama of February 26, 1904, be allowed their traveling expenses and per diem from the time they left Washington until their return to Washington.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,

Washington, D. C., August 17, 1907.

By direction of the President, it is ordered:

Contract between the Isthmian Canal Commission and the Republic of Panama as approved by the Commission June 7th, as modified by the Isthmian Canal Commission and the Republic of Panama and approved by the Commission August 15, 1907, is hereby approved.

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,

Washington, D. C., September 4, 1907.

NOTE.—The above order relates to the agreement respecting water rates in the City of Panama.

By direction of the President, it is ordered:

That resolution adopted by the Isthmian Canal Commission at a meeting held on August 1, 1907, reading as follows, is hereby approved:

Resolved, That the regulations respecting the sale of intoxicating liquors in the Canal Zone, approved at the one hundred and twenty-fifth meeting of the Commission held April 27, 1907, be, and the same are hereby, amended, by inserting at the end of Section 11, as a part thereof, the following:

"This Section is not intended to prevent the proprietor of any hotel or restaurant, holding a license for the sale of liquor in a room in the same building with such hotel or restaurant, from serving to guests in the dining room of such hotel or restaurant, with bona fide meals, liquors sold at his bar in the same building."

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,
Washington, D. C., September 4, 1907.

By direction of the President, it is ordered:

That Ramon Arias F., a representative of the Republic of Panama upon the joint tribunal assembled under Article VI of the Treaty between the United States and the Republic of Panama proclaimed February 26, 1904, during the current year, be paid fifteen dollars per day for four days' time actually employed by him as a member of the joint tribunal.

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,

Washington, D. C., September 13, 1907.

By direction of the President, it is ordered:

That Resolution of the Isthmian Canal Commission of August 31, 1907, amending paragraph 2 of sub-section i of Section 7 of the regulations providing for certain taxes and licenses in the Canal Zone, other than for the sale of intoxicating liquors, adopted by the Isthmian Canal Commission April 27, 1907, so as to read as follows, is hereby approved:

"SEC. 7. (i).

"(2) Minstrel, musical, variety, and all other similar shows or exhibitions given under canvas or within an enclosure, \$5 for each performance or exhibition."

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,

Washington, D. C., September 13, 1907.

By direction of the President, it is ordered:

That the purchase of 464,000 sand-lime building bricks of Rogers & Company of Baranquilla, Colombia, at \$14.50 per thousand delivered free of all charges on dock at Colon, Isthmus of Panama, is hereby approved.

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,
Washington, D. C., September 25, 1907.

By direction of the President, it is ordered:

The resolution of the Isthmian Canal Commission adopted at a meeting held at Culebra, September 25, 1907, amending Section 5 of the Rules and Regulations Governing the Sanitary Installation of Water and Sewers in the Cities of Panama and Colon, Republic of Panama, approved at the one hundred and thirteenth meeting of the Isthmian Canal Commission, held July 9, 1906, is hereby approved in the form following:

SECTION 5. All buildings that are now or may hereafter be erected, abutting on or adjacent to any street in which there is an accessible public sewer or water main, shall be connected with one or both thereof, as the case may be, and proper sanitary fixtures installed, in strict accordance with the terms and conditions of these "Rules and Regulations," upon written notice from the Superintendent of Public Works, unless permission to omit such connection and sanitary fixtures is specifically given in writing by the Chief Sanitary Officer of the Government of the Canal Zone, a copy of such permission being forwarded to the Superintendent of Public Works by the Chief Sanitary Officer. Where permission is not given in writing to omit such connections with sewer or water main, or both, and such sanitary fixtures as above provided, the owner or representative of the owner of said premises must comply with the written order of the Superintendent of Public Works and make said connections, and install proper sanitary fixtures, in strict accordance with the terms and conditions of these "Rules and Regulations" within thirty days from the receipt of such written notice from the Superintendent of Public Works; and in the event that said owner or representative of said owner fails, neglects, or refuses to comply with the said written notice, it shall be lawful for the Superintendent of Public Works to make such connections and install said sanitary fixtures, in accordance with the terms and conditions of these "Rules and Regulations," and the entire expense incurred thereby shall be chargeable against said property, become a lien thereon, and be collected in the manner in which water rents are collected. Every building used as a dwelling house shall have at least one water-closet for each family, also one sink and one

bath. In a tenement, lodging-house, or hotel, there must be at least one water-closet for every 15 persons and one bath for every 25 persons. All applications for the installation of water fixtures or for making sewer connections shall be first submitted to the Health Officer and by him approved.

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,
Washington, D. C., October 16, 1907.

POWERS OF THE ISTHMIAN CANAL COMMISSION AND ITS CHAIRMAN
NEWLY DEFINED.

The Executive Order of November 17, 1906, is hereby modified as follows:

The Commission shall hold sessions upon the Isthmus at the call of the Chairman. Four members shall constitute a quorum and the action of such majority shall be the action of the Commission.

The Commission, under the supervision of the Secretary of War and subject to the approval of the President, is charged with the general duty of the adoption of plans for the construction and maintenance of the canal; with the employment and the fixing of the compensation of engineers or other persons necessary for the proper and expeditious prosecution of said work; with the making of all contracts for the construction of the canal or any of its needful accessories; with the duty of making to the President annually, or at such other periods as may be required either by law or the order of the President, full and complete reports of all their actings and doings and of all moneys received and expended in the construction of said work and in the performance of their duties in connection therewith; and with the duty of advising and assisting the Chairman in the execution of the work of canal construction, with the government and sanitation of the Canal Zone and with all matters of sanitation in the cities of Panama and Colon and the harbors thereof, and with the purchase and delivery of supplies, machinery and necessary plant.

For the proper prosecution of the work, the organization shall be divided by the Chairman, with the approval of the Secretary of War or the President, into such Departments as seem advisable.

Among such Departments shall be a Department of Construction and Engineering, which may be subdivided into Divisions in the discretion of the Chairman, who will also be the Chief Engineer.

A Department of Civil Administration, charged with the duty of administering the civil government within the Canal Zone.

A Department of Law, charged with the general supervision of the legal matters pertaining to the Commission, whether in the United States or on the Isthmus of Panama, including the acquisition of right of way and the adjustment of land damages.

A Department of Sanitation, charged with the duty of preserving the sanitation and health conditions upon the Isthmus.

A Purchasing Department, charged with the purchase of all supplies, machinery and necessary plant.

A Department of Disbursements, charged with the preparation of vouchers and the disbursement of funds for the Commission, and with the keeping of the general books of the Commission, upon the Isthmus.

A Department of Examination of Accounts, charged with the duty of examining into and checking the accounts of the persons charged with the custody and disposition of the property and funds of the Commission.

A Department charged with the duty of employing the necessary common labor for the Commission; with the keeping of the personal records of employes; with the care of quarters; and with the operation of Commission hotels and mess-houses.

Each of the foregoing Departments shall discharge such further duties as may be assigned to it from time to time by the Chairman; and the Chairman, with the approval of the Secretary of War or the President, may transfer from time to time specific duties from one Department to another.

The Heads of the several Departments shall be appointed by and report to the Chairman, and their salaries, except as otherwise provided, shall be fixed by him, subject to the disapproval of the Commission.

Officers and employes in the several Departments shall be appointed and their salaries primarily fixed by the Head of the Department in which they are engaged, after consultation with the Chairman of the Commission.

Contracts for the purchase of supplies, involving an estimated expenditure exceeding \$10,000, shall be made only after due public advertisement in newspapers of general circulation, and shall be awarded to the lowest responsible bidder, except in case of emergency, when, with the approval of the Secretary of War, advertising may be dispensed with.

In the making of contracts for supplies or construction involving an estimated expenditure of more than \$1,000 and less than \$10,000, competitive bids shall be secured by invitation or advertisement whenever practicable.

The Head of each Department shall make a report upon the work and operation of his Department to the Chairman of the Commission as often as may be required.

The Chairman of the Commission shall make a report to the Secretary of War setting forth the results accomplished by each Department of the work at least annually, and as often as he may deem advisable or the Secretary may require.

The Secretary of War shall make to the President a report at least annually and as often as he may deem advisable or the President may require.

All members of the Commission shall reside upon the Isthmus, except when on leave of absence, which will be granted to members of the Commission by the Chairman and to the Chairman by the Secretary of War.

In case of absence from the Isthmus, the Chairman will designate a member of the Commission to act in his stead.

All Executive Orders relating to the Panama Canal excepting so far as they may be inconsistent with the present Order, remain in force.

Effective this date, January 6, 1908.

THEODORE ROOSEVELT.

WAR DEPARTMENT,
Washington, January 5, 1908.

MY DEAR MR. PRESIDENT: I enclose herewith a form of Executive Order for your signature, defining the duties of the Isthmian Canal Commission, the duties of the Chairman of the Commission, and the duties of the Secretary of War in relation to Canal matters. This order makes substantially no change in the authority of the Commission, the Chairman and Secretary of War as now exercised, except perhaps in respect to a few duties of a detailed executive character which are transferred from the Commission to the Chairman, leaving the Commission still in general charge of the construction of the Canal, as provided by law. Canal matters have been conducted under previous Executive Orders with informal amendments from time to time which it is difficult for anyone not very familiar with the history of Canal matters either to find or understand. For that reason, it seems wise now to cover the matter by a new order which is not an amendment or a change except as to the unimportant details referred to, but merely a comprehensive revision of existing provisions.

Very sincerely yours,

WM. H. TAFT.

THE PRESIDENT.

Enclosure.

Under authority vested in me by law, it is ordered:

That Title XIV. of Act No. 14 of the Penal Code of the Laws of the Canal Zone be amended, effective January 15, 1908, by adding thereto the following section:

SECTION 293-A.

SUB-SECTION 1. Every vagrant or person found within the Canal Zone without legitimate business or visible means of support; and

SUB-SECTION 2. Every mendicant or habitual beggar found within the Canal Zone; and

SUB-SECTION 3. Every person found within or loitering about any laborers' camp, mess house, quarters, or other Isthmian Canal Commission building, or any railroad car, or station, or other building of the Panama Rail Road Company, or any dwelling or other building owned by any private person, without due and proper authority and permission so to be; or peddling goods or merchandise about any laborers' camp or mess house during hours when laborers are ordinarily employed at work, or in or about places where groups of men are at work; and

SUB-SECTION 4. Every person found in the Canal Zone in an intoxicated condition or under the influence of liquor; and

SUB-SECTION 5. Every person who shall, in the Canal Zone, engage in any kind of disorderly conduct or breach or disturbance of the peace; shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$25, or by imprisonment in jail not to exceed 30 days, or by both such fine and imprisonment.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *January 9, 1908.*

Under authority vested in me by law, it is ordered:

1. Whenever there shall remain in the possession of any common carrier within the Canal Zone any freight, baggage, or other property, transported by or deposited with the common carrier at any point within the Canal Zone, which shall have remained unclaimed by the owner or consignee for a period of six months, and upon which there shall remain unpaid or shall have accumulated freight charges or charges for handling and storage, it shall be lawful for the common carrier to sell the same at public auction, at some designated point within the Canal Zone, after having advertised the sale, with a short description of the property to be sold, for a period of three weeks in some newspaper of general circulation within the Canal Zone.

2. In all cases where any such property is of a perishable character, the carrier shall be authorized to apply to any judge of the circuit court within the Canal Zone, or, if the property shall be of less value than one hundred dollars, to any district judge within the Canal Zone, upon an affidavit describing briefly the property to be sold, its unclaimed state, and its perishable character, for an order for immediate sale, upon such terms as to notice as the nature of the case may admit of, and as to such court or courts as shall seem proper.

3. Before advertising the property for sale the same shall be opened by the carrier, and if it contains any indication of the owner or consignee, a written notice of the existence of the unclaimed property and of the intention to sell the same at public auction shall be mailed by the carrier to the owner or consignee, at any indicated address, four weeks before the date of actual sale.

4. The residue of moneys received from such sale under the foregoing sections, after deducting the accumulated charges for transportation, cost of handling and storage, demurrage, and the cost and expense of the proceedings authorizing the advertising and sale, shall be held for a period of three years, and shall be paid to the owner of such freight, baggage, or other property, on demand. If at the end of the three-year period the said residue shall not have been claimed by the owner, it shall be paid into the Treasury of the Canal Zone Government, to the credit of the public school fund.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *January 9, 1908.*

Under authority vested in me by law, it is ordered:

That Section 22 of Act No. 1 of the Laws of the Canal Zone is hereby amended to read as follows:

SECTION 22.—The Canal Zone, Isthmus of Panama, shall be divided into three Judicial Circuits.

The First Judicial Circuit shall be composed of the Administrative District of Ancon.

The Second Judicial Circuit shall consist of the Administrative Districts of Emperador and Gorgona.

The Third Judicial Circuit shall be composed of the Administrative District of Cristobal.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *January 9, 1908.*

Under authority vested in me by law, it is ordered:

1. That, until further ordered, Law No. 6, of March 11, 1904, of the Republic of Panama, as applied and construed by the Executive Decree of April 15, 1904, is hereby extended to and made applicable to the Canal Zone.

2. The fines provided for in the said law shall apply to any company or individual who shall omit to prevent the escape of any transient of the nationality named in said law into the Canal Zone, and shall in all cases be imposed by the court of the Canal Zone district in which the violation of the law occurs, upon information of the Collector of Revenue or of the Prosecuting Attorney of the Canal Zone.

This order shall not apply to any individuals introduced by the Isthmian Canal Commission or by its authority, for the purpose of temporarily laboring upon or in connection with the construction of the Isthmian Canal.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *January 9, 1908.*

Rule VIII of the civil service rules is hereby amended to read as follows:

RULE VIII.—TEMPORARY APPOINTMENT.

1. Temporary appointment without examination and certification by the Commission shall not be made to a competitive position in any case except when the public interest so requires and then only upon the prior authorization of the Commission; and any appointment so authorized shall continue only for such period as may be necessary to make appointment through certification of eligibles and in no case without prior approval of the Commission shall extend beyond thirty days from receipt by the appointing officer of the Commission's certificate; and when a vacancy is to be filled by promotion or transfer for which the Commission's certificate is not required and a temporary appointment is authorized by the Commission under the provisions of this section pending the promotion or transfer, such temporary appointment shall in no case continue beyond the period of thirty days, without prior approval of the Commission.

2. When there are no eligibles upon a register for any grade in which a vacancy exists and the public interest requires that it be filled before eligibles can be provided by the Commission, then the Commission may authorize temporary appointment without examination. Such appointment shall continue only for such period as may be necessary to make appointment through certification and in no case without prior approval of the Commission shall extend beyond thirty days from the receipt by the appointing officer of the Commission's certification of eligibles.

3. When there is at least one eligible and not more than two eligibles on a register for any grade in which a vacancy exists, the Commission shall, upon requisition from the proper appointing officer, certify the name of the one eligible or the names of the two eligibles, which shall be considered by the appointing officer with a view to probational appointment; and if the appointing officer shall elect not to make probational appointment from such certificate of less than three names, then if temporary appointment is required it shall be made from such certificate unless reasons satisfactory to the Commission are given why such appointment should not be made. Such temporary appointment may continue until three eligibles are provided. If selection is not made from the certificate for either probational or temporary appointment under the provisions of this

section, then temporary appointment, if required, may be made under the provisions of section 2 of this rule.

4. When there is work of a temporary character, at the completion of which the services of an additional employee will not be required, a temporary appointment may be made with the prior consent of the Commission for a period not to exceed three months, and may with like consent of the Commission be extended for a further period of three months. Such temporary appointment shall be made through certification from the Commission's eligible registers unless the Commission shall decide in any case that there are no available eligibles. Such temporary appointment shall not extend beyond six months unless there are no eligibles available for the additional period or under unusual circumstances which seem to the Commission to justify an extension beyond six months; and in no case shall such temporary appointment extend beyond six months for any purpose other than to complete the job of work for which the person was originally employed. The Commission may restrict certification for temporary appointment to such eligibles as by reason of residence or other conditions are immediately available.

5. The acceptance of an eligible of a temporary appointment shall not affect his standing on any register for permanent employment, and experience gained as a temporary appointee shall in no way vary the order of certification for permanent appointment. A temporary appointment may be made permanent when the temporary appointee is within reach for permanent appointment at the time of his temporary appointment or in case he is so within reach during his temporary service. In such case the probational appointment may date from the time when he became within reach for probational appointment. A person who has been temporarily employed under the provisions of one section of this rule shall not for that reason be ineligible for employment under any other section. Any appointment under sections 1, 2, or 3 of this rule shall be promptly reported by letter to the Commission, as made, with a statement of the action taken for making permanent appointment. The Commission is authorized to inspect the records of any Department or office to aid it in observing and enforcing the operation of the provisions of this rule and reporting thereon to the President.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *January 27, 1908.*

Under authority vested in me by law, it is ordered:

1. In all criminal prosecutions in the Canal Zone wherein the penalty of death or imprisonment for life may be inflicted, the accused shall enjoy the right of trial by an impartial jury of the district in which the crime shall have been committed, to be chosen as follows:

2. The clerk of the circuit court, the district judge, and the collector of revenue for the administrative district within the circuit in which the crime shall have been committed, shall constitute a jury commission for that circuit. In the second judicial district, the district judge and the collector of revenue to be members of the jury commission shall be designated by the circuit judge, upon this order becoming effective and annually thereafter, or as often as a vacancy may occur in the jury commission.

3. Prior to the first day of the term of any circuit court, upon application of the prosecuting attorney, or by direction of the judge of the circuit in which the crime shall have been committed, the jury commission shall assemble and select the names of sixty male residents of the Canal Zone, between the ages of twenty-one and sixty-five years, in good standing and in full possession of their ordinary faculties, who shall have resided within the Canal Zone for not less than three months previously, and who shall be able to read, write, and understand the English language. Attorneys at law, physicians, ministers of an established religion, members of the military, naval, and police forces, and officers of the Commission of the rank and above the rank of resident engineers, shall be exempt from jury service. The names of the persons so selected shall be written by one of the commissioners upon slips of paper, folded so as to conceal the names, in a uniform manner, and placed in a jury box.

4. Upon the first day of the term, unless an adjournment of the trial beyond the term shall be granted, the judge shall select from the jury box the names of thirty jurors to constitute the panel for the trial of the defendant. The said jurors shall thereupon be summoned by a written notice, served upon them by the marshal of the court, to attend at the trial of the defendant upon a day named. If it appear that any of the jurors whose names have been selected are absent from the Canal Zone, or incapacitated from other cause from attending as jurors, the judge, upon the application of the marshal, shall draw the names of other jurors and direct their summons until a panel of thirty jurors shall be assembled.

5. Upon calling the case for trial, twelve jurors shall be called to try the defendant in the order in which their names shall have been first drawn for summons by the circuit judge. Either side shall have the right to challenge any juror for cause, and, in addition thereto, the defendant and prosecuting attorney shall each have the right to challenge arbitrarily six of the said jurors. If the original panel of thirty shall be exhausted without securing twelve impartial jurors to try the defendant, the names of other jurors shall be drawn by the circuit judge from the jury box and such jurors summoned until the jury shall have been completed.

6. The jury so selected shall, under the instructions of the court, and in conformity with the procedure prevailing in the Federal courts of the United States, determine whether, under the facts as proved, the defendant is guilty or not guilty. They shall conduct their deliberations in secret, and shall return a verdict of guilty or not guilty, which must be unanimous. Sentence shall be pronounced by the court.

7. The circuit judge shall have the discretion to require the jury to be kept together and apart from the public from the time they are sworn until their verdict shall be returned. If they be kept together, suitable provision shall be made by the marshal of the court for their subsistence and lodging. The jurors shall be allowed a jury fee of two dollars for each day actually summoned to court and engaged in the trial of a criminal action. The cost of subsistence and lodging of the jurors and the fees for the jurors' attendance shall be paid from the Treasury of the Canal Zone, upon a voucher duly approved by the circuit judge.

8. It shall in all cases be optional with defendants to be tried before a jury as provided for in this order, or under the procedure prescribed in Section 171 of the Laws of the Canal Zone. The accused shall, however, in person or through his attorney, file a written statement with the clerk of the circuit court before which his trial is to take place, on the first day of the term for which the trial is set, stating the procedure by which he desires to be tried. The procedure having been once selected by the accused can not thereafter be changed, but must be followed with respect to any future trial of the accused for the same offense.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *February 6, 1908.*

Mr. Douglas B. Thompson, who was separated from the service on the Isthmus of Panama by reason of illness, may be reinstated with the privilege of transfer to the Departmental Service, if it should appear that any Department desires to appoint him in spite of his physical disablement.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *February 7, 1908.*

By authority of the President, it is ordered:

On and after this date, the employment by the Isthmian Canal Commission of skilled laborers, clerks, and all others who have heretofore been known as gold employees of the Commission, shall be restricted to American citizens, except where American labor or service of the character required is not available.

Foreign employees now upon the pay rolls of the Commission shall not be affected by this order, save that in event of any reduction in force preference shall be accorded to American citizens.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., February 8, 1908.

Mr. Edwyn N. Purvis, a former employee of the Isthmian Canal Service, may be appointed to a clerkship in the classified service in the United States without regard to the provisions of the civil service rules.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *February 21, 1908.*

By direction of the President, the following ordinance, adopted at the one hundred and fortieth meeting of the Isthmian Canal Commission, January 30, 1908, is hereby approved:

That any person driving an automobile in the Canal Zone at a speed exceeding fifteen miles an hour on straight roads, or at a speed exceeding eight miles an hour when approaching curves, forks or cross-roads, shall be punished by a fine of not less than five dollars (\$5) nor more than one hundred dollars (\$100) United States Currency, or by imprisonment for not more than thirty (30) days, or by both fine and imprisonment at the discretion of the court. The owner of an automobile, if in the car, shall be held responsible for its speed; in the absence of the owner, the person actually driving the automobile shall be held responsible.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., February 27, 1908.

Whereas, by Section 11 of an order effective December 12, 1904, assented to by the Republic of Panama, it was provided that the Republic of Panama should contribute and pay to the United States a reasonable daily per capita charge in respect of each person insane or afflicted with the disease of leprosy, or indigent sick, entering, upon the request of the Republic, hospitals maintained or controlled by the United States, the said per capita charge to be fixed by the Secretary of War;

Now, therefore, it is ordered that on and after March 15, 1908, the charge to be paid by the Republic of Panama for all such patients admitted to the aforesaid hospitals at the request of the Republic be fixed at seventy-five cents gold per day per capita.

By direction of the President.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., February 27, 1908.

Under authority vested in me by law, it is ordered:

Executive Order No. 750, dated February 6, 1908, providing for a system of jury trials in criminal prosecutions in the Canal Zone wherein the penalty of death or imprisonment for life may be inflicted, is hereby modified by striking out of lines 1 and 2, section 2, and out of lines 4 and 5 of the same section, the words "collector of revenue" and inserting in lieu thereof the words "tax collector."

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 31, 1908.*

Under authority vested in me by law, it is ordered:

Section 436 of act No. 14 of the Laws of the Canal Zone is hereby amended so as to read as follows:

Every person who willfully injures, defaces, or removes any signal, monument, building, or appurtenance thereto, placed, erected or used by persons engaged in the United States Coast Survey, or Isthmian Canal Commission, or any public service company within the Canal Zone, knowing the same to be a boundary or survey monument, is guilty of a misdemeanor.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *April 24, 1908.*

CULEBRA, CANAL ZONE, *April 8, 1908.*

By authority of the order of the President of January 6, 1908, it is ordered that the construction and repair of public roads, trails, bridges, water and sewer systems, lights, markets, slaughterhouses, and of other public works and improvements in the Canal Zone, placed in charge of the Superintendent of Public Works by section 5 of the order of the President of March 13, 1907, be transferred from the Superintendent of Public Works, in the Department of Civil Administration, to the Department of Construction and Engineering; and that the maintenance of public oil lights be transferred from the Superintendent of Public Works, in the Department of Civil Administration, to the Department of Labor, Quarters, and Subsistence, at points in the Zone where it can more conveniently be done by that Department.

GEO. W. GOETHALS,
Chairman and Chief Engineer.

Approved:

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, April 25, 1908.

The Isthmian Canal Commission is authorized and empowered to expend of the funds in the treasury of the Canal Zone March 4, 1907, \$756.63 for contingent expenses of the Government of the Canal Zone, and the balance for the construction, maintenance and operation of public works and improvements and the maintenance of public schools in the Zone.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., May 19, 1908.

By authority of the President of the United States, it is ordered:

That Section 321 of the Code of Civil Procedure of the Canal Zone, in force under order of the President of March 22, 1907, be, and the same hereby is, amended by the addition thereto of the following:

“Provided that the signature of the chief judge or presiding magistrate to a judicial record from the Republic of Panama shall be authenticated by the Secretary of Foreign Relations of the Republic of Panama, whose signature shall in turn be authenticated by the Chief Executive of the Canal Zone.”

LUKE E. WRIGHT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., July 3, 1908.

Captain F. C. Boggs, Corps of Engineers, is appointed General Purchasing Officer of the Isthmian Canal Commission, under the supervision of the Chief of Engineers of the U. S. Army; and Chief of the Washington Office of the Isthmian Canal Commission, to take effect upon the departure for the Isthmus of Panama of Lieut. Col. H. F. Hodges, Corps of Engineers, the present General Purchasing Officer and Chief of Office.

By direction of the President:

LUKE E. WRIGHT.

Secretary of War.

WAR DEPARTMENT,

Washington, D. C., July 6, 1908.

By direction of the President, it is ordered:

1. That Everett C. Bumpus, heretofore appointed joint Commissioner under Articles VI and XV of the Treaty between the United States and the Republic of Panama proclaimed February 26, 1904, be allowed fifteen dollars per day for his services from the time he left Boston, Massachusetts, in the discharge of his duties, until his return thither, and his actual traveling expenses and subsistence during the same period of time.

2. That Edwin Denby, Member of Congress, heretofore appointed joint Commissioner under the above-mentioned Treaty, be allowed his actual traveling expenses and subsistence from the time he left Detroit, Michigan, in the discharge of his duties, until his return thither.

LUKE E. WRIGHT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., August 6, 1908.

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By direction of the President, it is ordered:

That Messrs. Ponce and Fabrega, heretofore appointed by the Republic of Panama upon the joint Commission assembled during the current year, under Article VI of the Treaty between the United States and the Republic of Panama proclaimed February 26, 1904, be paid, as compensation for their services, fifteen dollars per day for the time actually employed by them as members of the joint Commission.

LUKE E. WRIGHT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., August 6, 1908.

By direction of the President, the following resolution adopted at the One hundred and thirty-ninth meeting of the Isthmian Canal Commission, January 7, 1908, is hereby approved:

Resolved, That the Chairman be, and he hereby is, empowered and authorized to direct in writing the Assistant to the Chief of Office or other employee of the Commission at Washington to approve and authorize payment of vouchers for payments by the Commission, to make requisitions for supplies for the maintenance of the Washington Office, and to sign such appointments, correspondence, certificates, and other official documents as may be necessary to facilitate the dispatch of current business at the Washington Office of the Commission, such signatures to be made under the caption "By direction of the Chairman."

LUKE E. WRIGHT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., August 12, 1908.

Under authority vested in me by law, it is ordered:

Section 344 of the Penal Code of the Canal Zone is amended to read as follows:

"SECTION 344. Grand larceny is punishable by imprisonment in the penitentiary not exceeding ten years."

THEODORE ROOSEVELT.

THE WHITE HOUSE, *August 14, 1908.*

The following-named gentlemen, representing the several Executive Departments and one independent government establishment, are hereby designated as members of an Interdepartmental Statistical Committee hereby created, under the jurisdiction of the Secretary of Commerce and Labor, for the purpose of promoting uniformity of statistical methods and results, preventing duplications, rendering possible closer cooperation, and keeping the statistical work of the government abreast of the most modern methods:

Mr. John Ball Osborne, Chief of the Bureau of Trade Relations, Department of State;
Hon. Lawrence O. Murray, Comptroller of the Currency, Department of the Treasury;

Major John T. Thompson, Assistant, Ordnance Department, Department of War;
Mr. H. C. Gauss, Private Secretary to the Attorney General, Department of Justice;
Mr. E. T. Bushnell, Chief Clerk to the First Assistant Postmaster General, Post Office Department;

Mr. F. S. Curtis, Chief Clerk, Department of the Navy;
Mr. Clarence J. Blanchard, Statistician, Reclamation Service, Department of the Interior;

Mr. Victor H. Olmsted, Statistician and Chief, Bureau of Statistics, Department of Agriculture;

Mr. Oscar P. Austin, Chief of Bureau of Statistics, Department of Commerce and Labor; and

Prof. Henry C. Adams, In Charge of Statistics and Accounts, Interstate Commerce Commission.

Hon. Lawrence O. Murray, Comptroller of the Currency, Treasury Department, is hereby designated to act as Chairman of this Committee.

The specific duties of the Committee thus created shall be as follows:

(a) To make recommendations with a view to eliminating unnecessary duplication of work and conflicting results.

(b) To make recommendations with a view of utilizing the statistical material in one branch of Government work, with reference to the needs or aims of other branches.

(c) To make recommendations with a view of establishing uniform definitions of statistical terms.

(d) To make recommendations with a view of introducing uniform methods.

(e) To make recommendations in regard to schedules and accompanying instructions relative to any new line of statistical inquiry; to study the needs of the various bureaus and Departments from time to time and above all to test the results achieved, and to investigate whether they are in harmony with each other and modern statistical methods and practice.

(f) To make recommendations regarding the preparation and the place of publication of the Statistical Abstract of the United States.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *September 10, 1908.*

Doctors Hopkins and Cunningham may be appointed as physicians to teach microscopic work in connection with tropical diseases at the Ancon Hospital on the Isthmus of Panama without reference to the civil service rules.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *September 15, 1908.*

CULEBRA, C. Z., *September 17, 1908.*

Under authority of the Executive Order of the President of January 6, 1908, the Department of Revenues, in the Department of Civil Administration of the Isthmian Canal Commission, shall hereafter be known as the Division of Posts, Customs and Revenues of the Department of Civil Administration.

The Fire Department shall hereafter be known as the Division of Fire Protection of the Department of Civil Administration.

The Department of Police and Prisons shall hereafter be known as the Division of Police and Prisons of the Department of Civil Administration.

The title of the head of the Division of Fire Protection shall be Fire Chief.

Effective September 1, 1908.

GEO. W. GOETHALS,
Chairman.

Approved:

LUKE E. WRIGHT,
Secretary of War

WAR DEPARTMENT,
Washington, D. C.

By direction of the President, it is ordered:

That the services rendered by Everett C. Bumpus as Commissioner under Articles VI and XV of the Treaty between the United States and Panama, having proved to be in excess of those originally contemplated, Section 1 of the Executive Order of August 6, 1908, is herewith repealed, and the said Everett C. Bumpus is allowed Twenty-five Dollars per day for his services from the time he left Boston, Massachusetts, in the discharge of his duties, until his return thither, and his subsistence on the Isthmus.

LUKE E. WRIGHT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., September 28, 1908.

George Shaffer, Olof Ekedahl and Willoughby Culbertson may be continued on clerical duties in the Isthmian Canal Service without examination under the civil service rules.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *September 30, 1908.*

The eight persons named in the letter of the Secretary of War dated September 23, 1908, who have been employed jointly by the Isthmian Canal Commission and the Panama Railroad Company, may be retained and become a part of the classified force of the Isthmian Canal Commission, upon the separation of the work of the two offices.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *October 3, 1908.*

WAR DEPARTMENT,
Washington, September 23, 1908.

The PRESIDENT,

White House, Washington, D. C.

SIR: When the purchase of supplies for the Panama Canal first started, the Inspection Department of the Panama Railroad Company was used by the Canal Commission for inspecting purchases in the United States. This practice was continued until the summer of 1907, when, the Purchasing Department being placed under the Chief of Engineers of the War Department, the General Purchasing Officer of the Isthmian Canal Commission also availed of the services of the Engineer Officers of the Army throughout the country for inspection.

This, however, did not take away the duties of the Inspecting Engineer, and office force located in New York, which continued to have general supervision of the Commission's inspection work.

In March last a portion of the office of the Inspection Department of the Panama Railroad Company in New York was transferred to Washington, leaving still a portion of that force in New York, both, however, continuing on the railroad company's payroll, although the Commission pays one-half of the expenses of both offices.

The entire work of the Commission is now practically done in the Washington office, and it is now desired to separate the inspection department of the Commission from that of the Railroad Company, in order to obtain an accurate division of expense, and to promote greater efficiency of service. This action is recommended by the Chairman of the Isthmian Canal Commission, provided the clerical force can be brought under Civil Service rules. I concur in this recommendation, and respectfully request that an Executive Order be issued placing the clerical force of the Inspecting Engineer's office of the Isthmian Canal Commission in Washington under Civil Service rules, and bringing into the classified service the following employees of the Washington branch of the Inspecting Engineer's office:

Name.	Position.	Salary.
R. E. Young.....	Clerk.....	\$1,200
Barker Place.....	do.....	1,000
W. H. Shields.....	do.....	900
F. M. Baker.....	do.....	900
Geo. F. Dolan.....	do.....	840
Louis Fahnestock, Jr.....	do.....	840
Brice L. Casteel.....	do.....	840
Fred G. Crusoe.....	Messenger.....	480

It is desired that when this order is issued it exempt from examination the Inspecting Engineer who has charge of the above-mentioned force and the Inspectors, as in many instances these Inspectors are engaged on very short notice on special work and for a short time only, and on the completion of the work their services are terminated.

Very respectfully,

LUKE E. WRIGHT,
Secretary of War.

AMENDMENT TO SCHEDULE A OF THE CIVIL SERVICE RULES.

Schedule A, Subdivision VIII, relating to the Isthmian Canal Commission, is hereby amended, as follows: The present paragraph will be numbered 1, but will remain otherwise unchanged. A new paragraph, to be numbered 2, to read as follows is hereby added:

2. One inspecting engineer and inspectors in the purchasing department.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *October 3, 1908.*

The regulations governing the employment of unskilled laborers at Washington, D. C., are hereby amended, viz:

1. By the addition of a new regulation, to be numbered XI, and to read as follows:

“SECTION 1. The Board, with the authority of the Commission, shall have authority to authorize:

“(a) The demotion of any person from the classified service to the position of mere unskilled laborer, and the appointment of such person in consequence of such demotion, upon his passing the required physical examination, to the position of mere unskilled laborer, a statement of duties in every instance to be appended to the request of the Department for such demotion, showing the duties of the person to be demoted in his former and in his proposed new position.

“(b) The temporary appointment of a mere unskilled laborer for a period to exceed thirty days, in cases of great and evident necessity.”

2. By adding to the concluding sentence of Regulation VII the words “except as provided in Regulation XI hereof”. The amended regulation will read:

“Appointment or employment for temporary service shall be made as far as practicable as appointments to permanent positions. Where the needs of the service require, the board may authorize the temporary appointment of any eligible or of a person whose name is not on any register, but no person shall render more than thirty days’ temporary service in any period of twelve months where appointed out of his turn, or outside these regulations except as provided in Regulation XI hereof.”

THEODORE ROOSEVELT.

THE WHITE HOUSE, *October 21, 1908.*

[Memorandum to the Chairman Isthmian Canal Commission.]

WAR DEPARTMENT,

Washington, October 23, 1908.

With the approval of the President, Paragraph 2 of Executive Order of July 1, 1907 is modified so as to authorize you to pay to the General Purchasing Officer of the Isthmian Canal Commission, and to the officer detailed in connection with the Panama Railroad for the purchase of commissaries, \$1,800 per annum in addition to their pay and emoluments.

LUKE E. WRIGHT,
Secretary of War.

Under authority vested in me by law, it is ordered:

1. An appeal from the judgment of a District Court of the Canal Zone may be taken by the defendant by giving notice in open court of his intention so to do at the time the judgment is rendered, or by filing with the court a written notice of appeal within five days thereafter. The appeal may thereupon be perfected by the defendant by filing with the District Court or with the Circuit Court to which the appeal is taken, a bond in a sum fixed by the Judge of said District Court or the Judge of said Circuit Court, but not exceeding two hundred and fifty dollars, and with one or more sufficient sureties approved by the court or clerk accepting the same, for his appearance and trial upon appeal in the Circuit Court: *Provided*, That if a money deposit be made in lieu of the bond, the amount to be deposited shall not exceed one-half of the sum required in the bond.

2. Sections 44, 45 and 46 of the Code of Criminal Procedure of the Canal Zone are hereby repealed.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *November 7, 1908.*

Schedule A, section VIII, paragraph 1, of the civil-service rules is hereby amended by the addition of the following words at the end of the paragraph:

"Unless he was classified by the Executive order of November 15, 1904, in a position which was then and is at the time of the proposed transfer in the competitive service."

As amended the paragraph will read as follows:

"1. All officers and employees in the service of the Isthmian Canal Commission upon the Isthmus of Panama except those who are to perform the duties of clerk, bookkeeper, stenographer, typewriter, surgeon, physician, trained nurse, or draftsman. Appointments to clerical positions on the Isthmus of Panama paying less than \$75 in gold per month may be made without examination under the civil-service rules. No person appointed to the service on the Isthmus of Panama otherwise than through competitive examination or by transfer or promotion from a competitive position shall be transferred to a competitive position, unless he was classified by the Executive order of November 15, 1904, in a position which was then and is at the time of the proposed transfer in the competitive service."

THEODORE ROOSEVELT.

THE WHITE HOUSE, *November 9, 1908.*

By authority of the President, it is ordered:

That the Executive Order of February 8, 1908, restricting the personnel of gold employees to American Citizens be amended to read as follows:

"On and after this date, the employment by the Isthmian Canal Commission of skilled laborers, clerks, and all others who have heretofore been known as gold employees of the Commission shall be restricted to American citizens and citizens of Panama, except where American or Panamanian labor or services of the character required is not available.

"Foreign employees now upon the pay-roll of the Commission shall not be affected by this order, save in the event of any reduction of force preference shall be accorded to American citizens and citizens of Panama."

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,
Washington, D. C., December 23, 1908.

Under authority vested in me by law, and until otherwise provided by law or ordered, H. A. Gudger is appointed Chief Justice of the Supreme Court of the Canal Zone, at a salary of six thousand five hundred dollars per annum.

Effective, January 4, 1909.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *December 23, 1908.*

Under authority vested in me by law, and until otherwise provided by law or ordered, Wesley M. Owen is appointed an Associate Justice of the Supreme Court of the Canal Zone, at a salary of six thousand dollars per annum.

Effective January 4, 1909.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *December 23, 1908.*

Under authority vested in me by law, it is ordered:

1. The requirements of the Act of Congress, relating to the use on trains of certain described and approved driving-wheel and train brakes, couplers, handholds, and drawbars of required height for freight cars, approved March 2, 1893 (contained in 27 Stat. L., p. 531), and known as "An Act To promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes," as amended by an Act approved April 1, 1896 (contained in 29 Stat. L., p. 85), and as amended by an Act approved March 2, 1903 (contained in 32 Stat. L., p. 943), shall be extended to apply to that Zone in the Republic of Panama mentioned and described in Section 2 of the Act of Congress, dated June 28, 1902, and entitled "An Act To provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans," and commonly known as the "Canal Zone."

2. The various appliances for the protection of trainmen on freight train cars, with reference to running boards, ladders, sill steps, roof handholds, and the position of brake shafts, as designated in the existing standards of the Master Car Builders' Association in the United States, shall be used by all carriers in the aforementioned Canal Zone.

3. The equipment and appliances required to be used in sections 1 and 2 of this order shall be constantly and at all times maintained in good and working order, by any and all railroads engaged in the business of a common carrier and operating in the aforementioned Canal Zone.

4. In particular, sections 1, 2, and 3 of this order shall be carefully observed and obeyed by the Panama Railroad, a carrier operating in the said Canal Zone.

5. All railroads operated and cars used by the Government of the United States within navy yards, arsenals, military reservations, government wharves, and any and all other territories under the jurisdiction of the United States, shall be equipped with the safety appliances required in the Safety Appliance Acts mentioned and described in section 1 of this order, and in the codes of rules mentioned and described in section 2 of this order; and said equipment and appliances shall at all times be maintained in good and working order.

6. This order shall take effect not later than six months from the date of the promulgation thereof.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *January 6, 1909.*

By authority of the President, it is ordered:

That the limitations in Section 1 of Act No. 24, enacted by the Isthmian Canal Commission March 1, 1905, providing for the administration of certain estates are hereby waived, in so far as they prevent the Collector of Revenues taking possession of, and administering upon the estate of John J. Korp, deceased, and the Collector of Revenues is hereby authorized and directed to take possession of, and settle the estate of said John J. Korp, deceased, in accordance with the terms of said Act.

J. M. DICKINSON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., March 20, 1909.

Civil Service Rule X, paragraph 8, clause (e), in relation to an employee proposed for transfer, is hereby amended to read as follows:

"He shall not be transferred unless, in the judgment of the Commission, he possesses experience, qualifications, or training, which are required for the proper performance of the duties of the position to which transfer is proposed, and which render necessary in the interests of the service the filling of the position by his transfer, rather than by an original appointment or promotion in the manner provided by the Civil Service Act."

WM. H. TAFT.

THE WHITE HOUSE, *March 23, 1909.*

By authority of the President, it is ordered:

That so much of Act No. 8, enacted by the Isthmian Canal Commission September 2, 1904, as provides that certain duties be performed by the Director of Hospitals, is hereby amended. The office of Director of Hospitals will be abolished on September 12, 1909, and the duties referred to will be performed on and after that date by any official of the Department of Sanitation of the Isthmian Canal Commission who may be designated.

J. M. DICKINSON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C.

CULEBRA, C. Z., *May 14, 1909.*

By authority of the President of the United States:

It is ordered that the Executive Order of March 13, 1907, effective April 15, dividing the Canal Zone into four administrative districts, be amended so that the last sentence of the 4th paragraph will read: "Fines and fees shall be paid into the treasury of the Canal Zone."

J. M. DICKINSON,
Secretary of War.

CULEBRA, CANAL ZONE, *May 14, 1909.*

It is hereby ordered that all offices of the Government, arsenals, navy yards and stations, and other Government establishments shall, when the first day of January, the twenty-second day of February, the thirtieth day of May, the fourth day of July and the twenty-fifth day of December, fall on the first day of the week, commonly called Sunday, be closed to public business on the following Monday and that all employees in the public service, wherever employed, who would be excused from work on the above named days be excused on the following Monday when said days fall on the first day of the week, commonly called Sunday, excepting that where a State law fixes for a holiday another day than the Monday following such legal holiday, the Government offices and other Government establishments situated in such States shall close and employees in the public service shall be excused on that day which is in conformity to State law

WM. H. TAFT.

THE WHITE HOUSE, *May 22, 1909*

It is hereby ordered that on Saturdays during July, August and September, until further notice, four hours exclusive of time for luncheon shall constitute a day's work for all employees in the Federal public service, wherever employed; and all departmental or other orders in conflict with this order are hereby revoked, except as to the naval stations named in the executive order of April 4, 1908.

WM. H. TAFT.

THE WHITE HOUSE, *June 8, 1909.*

Under authority vested in me by law, it is ordered:

Paragraph 6 of Executive Order No. 1002, dated January 6, 1909, is hereby amended as follows:

"6. This order shall take effect not later than six months from the date of the promulgation thereof, except for the use of old French dump cars in use on the Panama Canal, including also the couplers of locomotives necessary to operate them, until July 1, 1910, after which date it shall likewise apply to this equipment."

WM. H. TAFT.

THE WHITE HOUSE, *June 11, 1909.*

The following Order will supersede that of June 8, 1909, as to hours of labor on Saturdays during the months mentioned:

It is hereby ordered that, during the months of July, August and September of each year, until further notice, four hours, exclusive of time for luncheon, shall constitute a day's work on Saturdays for all clerks and other employees of the Federal Government, wherever employed; and all Executive or other orders in conflict herewith, except the Executive Order of April 4, 1908, relating to certain naval stations, are hereby revoked.

Provided, however, that this Order shall not apply to any bureau or office of the Government, or to any of the clerks or other employees thereof, that may for special public reasons be excepted therefrom by the head of the Department having supervision or control of such bureau or office, or where the same would be inconsistent with the provisions of existing law.

WM. H. TAFT.

THE WHITE HOUSE, *June 25, 1909.*

It is hereby ordered that Executive Order No. 1084, made June 8, 1909, and Executive Order No. 1096, made June 25, 1909, shall have no application to employes upon the Isthmus of Panama.

WM. H. TAFT.

THE WHITE HOUSE, *July 16, 1909.*

By authority of the President of the United States it is ordered:

That the authority of the Collector of Revenues under Act No. 24 of the Laws of the Canal Zone, entitled "An Act providing for an inexpensive method of Administration upon the Estates of Employees of the Government of the Canal Zone, or of the Isthmian Canal Commission, who are citizens of the United States and who die in the Canal Zone, Isthmus of Panama, leaving estates of small value upon which regular administration is deemed inadvisable," enacted by the Isthmian Canal Commission March 1, 1905, be, and the same is hereby extended to include all estates of the character described in said act as amended by the Executive Order of June 22, 1907, which do not exceed in value the sum of one thousand dollars.

J. M. DICKINSON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., July 21, 1909.

Under authority vested in me by law, it is ordered:

That every convict who is now or who may hereafter be confined in the Canal Zone penitentiary under sentence for a definite time, and who shall have no infraction of the rules and regulations of the penitentiary or laws of the Canal Zone recorded against him, and who performs the duties assigned to him in a faithful, orderly and peaceable manner, shall be entitled to the diminution of time from his sentence as follows: For the first year, one month; for the second year, two months; for the third year, three months; for the fourth year, four months; for the fifth year, five months; for the sixth and each succeeding year, six months; and pro rata for any part of a year, where the sentence is for more or less than a year.

In case any convict shall be guilty of the violation of any of the rules or regulations of the penitentiary or laws of the Canal Zone as above provided, and has become entitled to any diminution of his sentence by the provisions aforesaid, he shall for the first offense forfeit, if he has made so much, two days; for the second offense, four days; for the third offense, eight days; for the fourth offense, sixteen days; and in addition thereto, whatever number of days, more than one, that he is in punishment, shall also be forfeited; for more than four offenses, the warden shall have power to deprive him, at his discretion, of any portion or all of the diminution of sentence that he may have earned, but not less than as provided for the fourth offense: *Provided*, That the Chief Executive of the Canal Zone shall have the power to restore to any convict any diminution of sentence forfeited by him.

Whenever any convict is or has been committed under several convictions, with separate sentences, they shall be construed as one continuous sentence, in the granting or forfeiting of diminution of sentence.

The warden, in computing the diminution of sentence of any convict now in the penitentiary, shall allow him for the unexpired portion of his sentence, the same as if this order had been in effect at the commencement of his sentence, but shall not allow him for the portion of his sentence already served.

WM. H. TAFT.

THE WHITE HOUSE, *July 30, 1909.*

Under authority vested in me by law, it is ordered: That Section 149 of Act No. 14 of the Laws of the Canal Zone is amended to read as follows:

“SEC. 149. Every person guilty of murder in the first degree shall suffer death, or if there be extenuating circumstances, confinement in the penitentiary for life; and every person guilty of murder in the second degree is punishable by imprisonment in the penitentiary not less than ten years.”

WM. H. TAFT.

THE WHITE HOUSE, *July 30, 1909.*

TONNAGE DUES—REVOCATION OF PROCLAMATIONS.

By the President of the United States of America—A Proclamation:

Whereas by proclamations of the President of the United States dated January thirty-first, eighteen hundred and eighty-five, February twenty-sixth, eighteen hundred and eighty-five, September ninth, eighteen hundred and eighty-five, April twenty-second, eighteen hundred and eighty-seven, April sixteenth, eighteen hundred and eighty-eight, May second, eighteen hundred and ninety-four and July nineteenth, eighteen hundred and ninety-eight, the President did thereby declare and proclaim from and after the dates of his said Proclamations, respectively, the suspension of the collection of the whole of the duty on tonnage now imposed by Section eleven of the Act of Congress approved June nineteenth, eighteen hundred and eighty-six, entitled "An Act to abolish certain fees for official services to American vessels and to amend the laws relating to shipping commissioners, seamen and owners of vessels, and for other purposes," amending Section fourteen of the Act of Congress approved June twenty-sixth, eighteen hundred and eighty-four, entitled "An Act to remove certain burdens on the American merchant marine and encourage the American foreign carrying trade, and for other purposes," upon vessels entered in ports of the United States from ports in the Province of Ontario in the Dominion of Canada; ports in the island of Monserrat in the West Indies; the ports of Panama and Aspinwall (Colon); port of San Juan del Norte (Greytown), Nicaragua; port of Boca del Toro, United States of Colombia; ports in the Kingdom of the Netherlands; free ports of the Dutch East Indies; ports in the island of Guadeloupe, French West India Islands; ports in the island of Grenada, British West India Islands; and the port of Copenhagen, Denmark, respectively;

And Whereas, Section thirty-six of the Act of Congress approved August fifth, nineteen hundred and nine, entitled an "Act to provide revenue, equalize duties and encourage the industries of the United States, and for other purposes," will repeal, sixty days after the approval of said Act, section eleven of the Act of Congress approved June nineteenth, eighteen hundred and eighty-six, aforesaid, amending Section fourteen of the Act of Congress approved June twenty-sixth, eighteen hundred and eighty-four, aforesaid, by virtue of which the proclamations aforesaid were issued and have continued in force and effect;

And Whereas, Section thirty-six of the Act of Congress approved August fifth, nineteen hundred and nine, provides the rates of tonnage duty which shall be imposed on and after October fifth, nineteen hundred and nine, upon vessels which shall be entered in any port of the United States;

Now, therefore, I, William Howard Taft, President of the United States of America, in pursuance of the aforesaid Section thirty-six of the Act aforesaid, do hereby revoke the said proclamations of January thirty-first, eighteen hundred and eighty-five, February twenty-sixth, eighteen hundred and eighty-five, September ninth, eighteen hundred and eighty-five, April twenty-second, eighteen hundred and eighty-seven, April sixteenth, eighteen hundred and eighty-eight, May second, eighteen hundred and ninety-four, and July nineteenth, eighteen hundred and ninety-eight, suspending the collection of tonnage taxes upon vessels entered in ports of the United States from ports in the Province of Ontario, in the Dominion of Canada; ports in the island of Monserrat in the West Indies; the ports of Panama and Aspinwall (Colon); port of San Juan del Norte (Greytown), Nicaragua; Port of Boca del Toro (now in the Republic of Panama); ports in the Kingdom of the Netherlands; free ports of the Dutch East Indies; ports in the island of Guadeloupe, French West India Islands; ports in the island of Grenada, British West India Islands, and the port of Copenhagen, Denmark, respectively; this said revocation of said proclamations to take effect on and after the fifth day of October, nineteen hundred and nine.

In Testimony Whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this sixth day of August in the year of our Lord one thousand nine hundred and nine, and of the Independence of the United States of America the one hundred and thirty-fourth.

[SEAL.]

WM. H. TAFT.

By the President:

ALVEY A. ADEE,

Acting Secretary of State.

Under authority vested in me by law it is ordered:

Section 454 of Act No. 14 of the Laws of the Canal Zone is amended to read as follows:

"SEC. 454. Permits to hunt with firearms upon the public lands of the Canal Zone or on the lands of private ownership, but without prejudice to the rights of the owners, may be issued by the Treasurer of the Canal Zone upon application made to him. But every person who shall hunt at night between the hours of sunset and sunrise with the aid or use of a lantern, torch, bonfire, or other artificial light, or who shall hunt by the use of a gun or other firearm intended to be discharged by an animal or bird, by means of a spring or trap or other similar mechanical device, shall be guilty of a misdemeanor."

WM. H. TAFT.

THE WHITE HOUSE, *September 8, 1909.*

Under authority vested in me by law it is ordered:

1. Chapter II of Title XII of Act No. 14, of the Laws of the Canal Zone, is amended by the addition thereto of the following section:

"SECTION 210½. Every person who shall torture, cruelly beat, abuse, wilfully maltreat, or unnecessarily deprive of liberty any child under the age of eighteen, and every person having custody or possession of a child under the age of fourteen who shall expose it in any highway, street, field, house or other place with intent to abandon it, is guilty of a misdemeanor."

2. Section 423, Chapter XIV, Title XVI, of Act No. 14 of the laws of the Canal Zone, is amended to read as follows:

"SECTION 423. Every person who shall overdrive, overload, torture, cruelly beat or unjustifiably injure, maim, mutilate or kill or deprive of necessary food, drink or shelter, or work when unfit for labor, any animal whether wild or tame and whether belonging to himself or to another, or who, being the owner or possessor or having charge or custody of a maimed, diseased, disabled or infirm animal shall abandon it, or leave it to die in a street, road or other place, is guilty of a misdemeanor. Any police officer may lawfully destroy or cause to be destroyed any animal found abandoned and not properly cared for, appearing, in the judgment of two reputable persons called by him to view the same in his presence, to be injured or diseased past recovery for any useful purpose."

3. Any duly appointed agent of a regularly organized humane society in the Canal Zone may be commissioned by the proper authorities of the Canal Zone as a special police officer for the enforcement of the provisions of this order and of any other law, regulation or order in force in the Canal Zone for the prevention of cruelty to children and animals, and when so commissioned shall be vested for that purpose with all the authority of a member of the Canal Zone Police force.

WM. H. TAFT.

THE WHITE HOUSE, *October 2, 1909.*

Under authority vested in me by law, it is ordered:

SECTION 1. The Chairman of the Isthmian Canal Commission shall appoint three persons who shall constitute a "Board of Local Inspectors." The members of this Board shall be employees of the Isthmian Canal Commission, or the Panama Railroad Company, or both, and shall perform the duties hereinafter specified without additional compensation.

SEC. 2. The Board of Local Inspectors shall recommend the classification of masters, mates, engineers, and pilots of steam vessels propelled upon the waters within the jurisdiction of the Canal Zone. Upon such recommendation, in writing, the Head of the Department of Civil Administration, Isthmian Canal Commission, shall issue licenses.

SEC. 3. Whenever any person applies to be licensed as master, mate, engineer, or pilot of any steam vessel propelled upon the waters within the jurisdiction of the Canal Zone, the Board of Local Inspectors shall make diligent inquiry as to his character, and shall carefully examine the applicant, as well as the proof he presents in support of his claim; and if, upon full consideration, they are satisfied that his character, habits of life, knowledge, and experience in the duties of master, mate, engineer, or pilot, are all such as to authorize the belief that he is a suitable and safe person to be entrusted with the powers and duties of such station, they shall recommend that a license be issued to him, authorizing him to be employed on any vessel propelled upon the waters within the jurisdiction of the Canal Zone, in such duties, for the term of three (3) years; but such license shall be suspended or revoked upon satisfactory proof of negligence, unskilfulness, or intemperance. The Board of Local Inspectors will recommend the assignment of mates or engineers to an appropriate class designated "Chief," "1st," or "2nd."

SEC. 4. The Isthmian Canal Commission shall not engage for permanent employment upon any of its vessels propelled by steam, any master, mate, or engineer, who shall not be duly licensed by the United States, or the Government of the Canal Zone, and who is not a citizen of the United States, unless an American citizen is not available; and all officers at present employed who do not hold United States licenses will be required to qualify before the Board.

SEC. 5. The Government of the Canal Zone may issue licenses as masters, mates, engineers, or pilots to persons who are not citizens of the United States.

SEC. 6. The Executive Order of the Governor of the Canal Zone, dated December 8, 1905, is amended by this order only in so far as it provides for the examination and licensing of pilots.

WM. H. TAFT.

THE WHITE HOUSE, *October 2, 1909.*

By direction of the President, it is ordered:

That the Executive Order of March 12, 1907, effective July 1, 1907, be and the same is hereby amended by the addition of the following:

“Provided, That indemnity insurance companies whose business within the Canal Zone consists solely of furnishing fidelity bonds of employees of the United States, which are required by the laws of the Canal Zone, or regulations of the Isthmian Canal Commission, shall hereafter be exempt from liability to pay the annual fee of fifty dollars and the license tax of one and one-half per centum of their premium receipts.”

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,
Washington, D. C., October 15, 1909.

Under authority vested in me by law, it is ordered:

That no operator, train dispatcher, or other employee of the Panama Railroad Company who by the use of the telegraph or telephone dispatches, reports, transmits, receives, or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than nine hours in any twenty-four-hour period in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places, and stations operated only during the daytime, except in case of emergency, when the employees named in this order may be permitted to be and remain on duty for four additional hours in a twenty-four-hour period on not exceeding three days in any week.

This order shall be in effect on and after January 1, 1910.

WM. H. TAFT.

THE WHITE HOUSE, *November 23, 1909.*

Any person who, as principal or agent, shall, with the intent or for the purpose of recruiting on the Canal Zone mechanics, laborers, artisans, or any character of workmen, to go into a foreign country, induce or attempt to induce any person who is working for or is under contract to work for, or who desires to work for, the Isthmian Canal Commission or the Panama Railroad Company, or a contractor of either or both of them, to cease to work for, or break any such contract to work for, or not to begin work for, the Isthmian Canal Commission or the Panama Railroad Company, or a contractor of either or both of them, or to leave the Canal Zone with a view or for the purpose of working in a foreign country, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding one thousand dollars (\$1,000.00) or by imprisonment in the common jail not to exceed six (6) months, or by both such fine and imprisonment, at the discretion of the Court.

WM. H. TAFT.

THE WHITE HOUSE, *November 23, 1909.*

It is hereby ordered that no bureau, office or division chief, or subordinate in any department of the Government, and no officer of the army or navy or marine corps stationed in Washington, shall apply to either House of Congress, or to any committee of either House of Congress, or to any member of Congress, for legislation, or for appropriations, or for congressional action of any kind, except with the consent and knowledge of the head of the department; nor shall any such person respond to any request for information from either House of Congress, or any committee of either House of Congress, or any Member of Congress, except through, or as authorized by, the head of his department.

WM. H. TAFT.

THE WHITE HOUSE, *November 26, 1909.*

[Circular.]

WAR DEPARTMENT,
Washington, December 4, 1909.

The following order of the President is published for the information and guidance of all concerned:

"It is hereby ordered that no bureau, office or division chief, or subordinate in any department of the Government, and no officer of the army or navy or marine corps stationed in Washington, shall apply to either House of Congress, or to any committee of either House of Congress, or to any member of Congress, for legislation, or for appropriations, or for congressional action of any kind, except with the consent and knowledge of the head of the department; nor shall any such person respond to any request for information from either House of Congress, or any committee of either House of Congress, or any Member of Congress, except through, or as authorized by, the head of his department.

"WM. H. TAFT.

"THE WHITE HOUSE, *November 26, 1909.*"

Under the exception contained in the concluding sentence of the foregoing order, chiefs of bureaus and the Chief of Staff are hereby given general authority to respond directly to any request for information from either House of Congress or any committee or member of either House of Congress on all ordinary and routine matters pertaining exclusively to their respective offices; but information bearing on questions of policy; or on important or unusual matters; or of a character which sound judgment would indicate as coming properly within the discretion of the head of the Department whose views Congress, its committees and members are entitled to know in their consideration of questions affecting the Department; or information which a chief of bureau or the Chief of Staff would wish brought to his knowledge if he were the head of the Department should not be given out without first being submitted to and authorized by the Secretary of War.

J. M. DICKINSON,
Secretary of War.

By authority of the President of the United States, it is ordered:

That Act 14, enacted by the Isthmian Canal Commission by authority of the President under date of September 3, 1904, entitled "An Act to establish a penal code for the Canal Zone, Isthmus of Panama," be and the same is hereby amended by adding after paragraph 6 of Section 450 the following:

"7. As a member of a rifle, gun or pistol club, organized for the promotion of rifle, gun or pistol practice, a certified copy of whose constitution and by-laws has been approved by the Chief Executive of the Canal Zone and filed with the Collector of Revenues, when going to and from a target range and when engaged in target practice at a target range. For the purposes of this section certificates of membership in such rifle, gun or pistol club shall be issued under regulations approved by the Chief Executive of the Canal Zone."

and Section 456 be and the same is hereby amended as follows:

"The license fees for permits issued by the Treasurer under the provisions of this Title shall be as follows: For every permit issued to carry a firearm abroad, five dollars (\$5); for every permit authorizing an overseer or watchman engaged by a private employer, ten dollars (\$10) for each watchman or overseer so authorized to carry a firearm; for each hunting permit, five dollars (\$5); provided that no charge shall be made for hunting permits issued to enlisted men of the Marine Corps stationed on the Isthmus of Panama. The Treasurer shall keep a record of all licenses issued by him, with the name and residence of the persons to whom they are issued, and the date and serial number thereof."

J. M. DICKINSON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., December 1, 1909.

The Executive Order of February 20, 1908, prescribing the procedure to be observed in submitting recommendations affecting the method of appointment in the classified service, will be amended by adding to line five after the word "Rules" the following: "or proposing any exception to the requirements of said Act or Rules, or Labor Regulations, in either the classified or unclassified service"; and by adding to line sixteen after the word "Congress" the following: "in which case it shall only be made through or as authorized by the head of the Department."

As amended the Order will read:

"Hereafter the following procedure shall be strictly observed by officers and employees in the Executive Civil Service in submitting any recommendation affecting the method of appointment to any position or class of positions now included or which may be included in the classified service under the operation of the Civil Service Act or Rules, or proposing any exception to the requirements of the said Act or Rules, or Labor Regulations, in either the classified or unclassified service:

"Every recommendation shall be accompanied by a full statement of the reasons therefor, and, if approved by the head of the proper Department or independent bureau, shall be referred to the Civil Service Commission, which body shall submit a report thereon to the President.

"No recommendation of the character mentioned shall be submitted by any officer or employee, directly or indirectly, to Congress or to any committee or member of Congress, except in the manner herein provided unless such recommendation shall be called for from such officer or employee by the Senate, the House of Representatives or the Congress, in which case it shall only be made through or as authorized by the head of the Department."

WM. H. TAFT.

THE WHITE HOUSE, *January 12, 1910.*

The Isthmian Canal Commission may, from the necessities of sanitation, cause such improvements to be made in the Canal Zone as the construction of streets, roads, and trails, water and sewer systems, and similar sanitary improvements, and may charge such proportion of the cost thereof, not to exceed one-half, to the owners of the property adjacent to, abutting upon, or within the district in which such improvement is necessary and has been made, as may be decided by the Isthmian Canal Commission to be just and equitable.

Due notice of all such improvements shall be given to persons affected thereby together with the estimated assessment, in accordance with rules to be issued by the Isthmian Canal Commission. Any unpaid assessment shall become a lien upon the property affected thereby collectible as provided by law.

WM. H. TAFT.

THE WHITE HOUSE, *January 26, 1910.*

By authority of the President of the United States, it is ordered:

That each member of the Board of Local Inspectors, appointed under the authority of Executive Order No. 1131 of the President, dated October 2, 1909, is hereby authorized to administer oaths necessary in conducting the business of the Board.

J. M. DICKINSON,
Secretary of War.

WAR DEPARTMENT,

Washington, D. C., February 8, 1910.

The provisions of the second paragraph of the Executive Order of March 13, 1907, which fix the duties of the district tax collectors of the Canal Zone, shall not require the collection by them of moneys to be paid for liquor licenses under the regulation respecting the sale of intoxicating liquors in the Canal Zone, approved by the Isthmian Canal Commission April 27, 1907; but such moneys shall be collected by the Collector of Revenues or his deputy or assistant.

WM. H. TAFT.

THE WHITE HOUSE, *April 2, 1910.*

Maurice H. Thatcher is hereby appointed a member of the Isthmian Canal Commission with compensation at the rate of Fourteen Thousand Dollars (\$14,000) per annum, effective upon date of sailing for the Isthmus of Panama.

Commissioner Thatcher will be allowed the use of a furnished dwelling house on the Isthmus of Panama and will be allowed and paid his actual and necessary expenses while away from the Isthmus on official business.

WM. H. TAFT.

THE WHITE HOUSE, *April 12, 1910.*

By virtue of the authority vested in me I hereby establish the following Order for the Canal Zone:

ARTICLE 1. The Counsel and Chief Attorney for the Isthmian Canal Commission shall be legal adviser to the Commission, the Chairman thereof and to the Head of the Department of Civil Administration; he shall submit his opinions in writing when requested by the Commission, the Chairman thereof or the Head of the Department of Civil Administration; he shall have the direction and control of all litigation before the courts of the Canal Zone or the Republic of Panama in which the Commission, or the Government of the Canal Zone or any of its dependencies are interested or involved, and he may appear for them, or either of them, before said courts when he deems it necessary; he shall have the supervision and direction of all prosecutions for offenses against the laws of the Canal Zone, and he may inquire into criminal matters and prosecute the same in person before the courts, when in his opinion it may be necessary to do so.

ARTICLE 2. The Counsel and Chief Attorney for the Isthmian Canal Commission, the Prosecuting Attorney, the Assistant Prosecuting Attorney, or other counsel specially designated by the Head of the Department of Civil Administration, shall have equal authority with the judges of the courts of the Canal Zone to issue subpoenas for witnesses in criminal cases, and each of said officers, as well as any judge of any of the courts of the Canal Zone, may examine witnesses under oath in the investigation of offenses against the laws of the Canal Zone.

ARTICLE 3. The information in a criminal case may be filed by the Prosecuting Attorney, the Assistant Prosecuting Attorney, or other counsel specially designated by the Head of the Department of Civil Administration, as well as by the Counsel and Chief Attorney for the Isthmian Canal Commission, and it may be verified by any of said officers, and the affidavit shall be sufficient if it states that the information is based upon the sworn testimony of witnesses and that the affiant solemnly believes that there is just cause for the filing of the information.

ARTICLE 4. Section 138 of the Code of Criminal Procedure is hereby amended to read as follows:

SECTION 138. When the information is not subscribed and sworn to by the Prosecuting Attorney, or other officer authorized to file informations, it must be set aside by the court in which the defendant is arraigned, upon his motion.

ARTICLE 5. Civil and criminal process issued from any court or tribunal of the Canal Zone may be executed and return thereon made by any peace officer of the Canal Zone.

The following are peace officers: The Marshal and Deputy Marshals of the Supreme Court; the Marshal of each of the Circuit Courts; the Bailiffs of the Supreme and Circuit Courts and all officers and members of the police force of the Canal Zone.

The provisions of this Article are cumulative, and shall not be construed to repeal or modify the existing laws relating to the execution of process and return thereon.

ARTICLE 6. All laws or orders, or parts thereof, in conflict with this Order are hereby repealed.

WM. H. TAFT.

THE WHITE HOUSE, *April 16, 1910.*

Under authority vested in me by law, it is ordered that so much of Act No. 8 enacted by the Isthmian Canal Commission September 2, 1904, as provides that certain duties be performed by the Executive Secretary, is hereby amended.

The office of Executive Secretary will be abolished on June 1, 1910, and the duties heretofore devolving upon that official will on and after that date be performed by any official of the Department of Civil Administration that may be designated by the proper authority.

J. M. DICKINSON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., May 24, 1910.

By virtue of the authority vested in me, I hereby establish the following Executive Order for the Canal Zone and its auxiliary lands and waters:

SECTION 1. The Isthmian Canal Commission is hereby empowered to establish rules and regulations to facilitate and protect the works of excavation, dredging and other Canal construction within the Canal Zone and the lands and waters auxiliary thereto; as well as such rules and regulations respecting the use, or passage through any of the Canal channels, lakes and other auxiliary waters as from time to time the Commission may deem needful to fully protect such channels, lakes and auxiliary waters, and to facilitate and protect the operations of Canal construction therein.

The rules and regulations that may be adopted by the Canal Commission in accordance with the provisions of this Order shall have the force and effect of law when approved by the Secretary of War.

SECTION 2. Any person violating any of the provisions of the rules and regulations established hereunder shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not to exceed five hundred dollars (\$500), or by imprisonment in the district jail for not more than six months, or by both such fine and imprisonment, in the discretion of the court.

WM. H. TAFT.

THE WHITE HOUSE, *July 25, 1910.*

By virtue of the authority vested in me I hereby establish the following Order for the Canal Zone Government:

SECTION 1. No civil action or special proceeding shall be brought or proceeded with in the courts of the Canal Zone, in any case in which both of the parties, plaintiff and defendant, are alien non-residents of the Canal Zone, and the cause of action is one which arose without the territorial limits of the Canal Zone Government, and the party proceeded against has no property within said territorial limits, subject to the jurisdiction of the Canal Zone courts.

Neither shall any civil action or special proceeding be brought or proceeded with in the courts of the Canal Zone when both parties, plaintiff and defendant, though citizens of the United States, are found transiently within the limits of the Canal Zone Government, unless the cause of action is one arising within the said territorial limits, or the party proceeded against has property within the said limits, subject to the jurisdiction of the Canal Zone courts.

This Order shall not be construed to exclude from the jurisdiction of the Canal Zone courts cases between parties who have an official or business residence within the territorial limits of the Canal Zone Government, or who reside therein for the purpose of any occupation or employment, notwithstanding that they may not have acquired a permanent residence within said territorial limits.

SECTION 2. All laws, orders and decrees, or parts thereof, in conflict with this order, are hereby repealed.

WM. H. TAFT.

THE WHITE HOUSE, *July 28, 1910.*

By virtue of the authority vested in me I hereby establish the following Order for the Canal Zone:

ARTICLE 1. Any deed or other instrument in writing relative to or affecting real estate the separate property of a married woman, or any mortgage or other lien on such property, shall be sufficient if the husband of the married woman joins with her in the execution of the instrument and the same is acknowledged by them before an officer authorized to take acknowledgments hereunder, in conformity with the provisions hereof.

ARTICLE 2. Any deed or other instrument in writing heretofore executed by a married woman joined by her husband and otherwise in conformity to law, conveying lands or interests therein belonging to her separate estate, or creating a mortgage or other lien thereon, shall be held to be valid and effective to pass such title to or interest in such land, or to create such mortgage or other lien thereon, from the date of the execution of the deed or other instrument, although no order may have been obtained as required by the Civil Code from a court or judge to authorize such conveyance, mortgage, or other lien.

ARTICLE 3. In order to acknowledge the execution of an instrument in writing under the provisions hereof the parties shall appear in person before the officer authorized to take the same and acknowledge to him that they have executed the same for the purposes and considerations expressed in the instrument. If the parties making the acknowledgment or either of them is not personally known to the officer taking the acknowledgment, their identity must be established on the oath of a credible witness; and, in addition, the married woman making the acknowledgment must be examined privily and apart from her husband by the officer taking her acknowledgment, and the contents of the instrument in writing must be fully explained to her by him, and he shall not accept her acknowledgment unless she declares to him that she has willingly signed the instrument, without fear or compulsion on the part of her husband, and that she does not wish to retract it.

The certificate of acknowledgment of the husband shall be sufficient if it is substantially in the following form:

The.....Judicial Circuit, }
Canal Zone. }

Before me,, in and for....., in the Canal Zone, on this day personally appeared....., known to me (or proven to me on the oath of, a credible witness) to be the person whose name is

subscribed to the foregoing instrument, and acknowledged to me that he executed the same, for the purposes and consideration therein expressed.

Given under my hand and seal of office this....day of....A. D....

The certificate of acknowledgment of a married woman shall be sufficient if it is substantially in the following form:

The.....Judicial Circuit,}
Canal Zone. }

Before me,....., in and for....., in the Canal Zone, on this day personally appeared....., known to me (or proven to me on the oath of....., a credible witness) to be the person whose name is subscribed to the foregoing instrument, and the said....., being examined by me privily and apart from her husband....., and having had said instrument fully explained to her by me, acknowledged the same to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, without fear or compulsion on the part of her husband, the said....., and that she did not wish to retract it.

Given under my hand and seal of office this....day of.....A. D....

ARTICLE 4. Any instrument in writing required to be acknowledged by the provisions of this Order, or by any other law or order of the Canal Zone, shall be acknowledged before a judge of any court of the Canal Zone, the clerk thereof, or before any notary public of said Canal Zone, and may also be acknowledged before the judge of any court of record or the clerk thereof or before any notary public within any state, territory, district or possession of the United States.

If the instrument is one executed in a foreign country the same may be acknowledged before any diplomatic or consular officer or commercial agent of the United States, accredited to such country.

The officers authorized to take acknowledgments hereunder are also empowered to issue proper certificates of the same.

ARTICLE 5. Articles 189 and 1810 of the Civil Code, and all laws, orders, and decrees and parts thereof, in conflict with this Order are hereby repealed; provided, however, that this Order shall not affect any deed or other instrument executed pursuant to the laws in force prior to the date upon which this Order shall take effect.

WM H TAFT

THE WHITE HOUSE, August 20, 1910.

Civil Service Rule X, paragraph 8, clause (a), is hereby amended by inserting in the tenth line after the word "requirement" the following words: "in cases of transfer from the Isthmus of Panama or ----"

As amended clause (a) will read as follows:

"He must have served three years in or under the department or independent office from which transfer is proposed; but the Commission may waive this requirement, when it deems such action necessary in the interest of the service, in cases of transfer other than from one executive department to another at Washington, D. C. In any case he must have received absolute appointment and have actually served at least six months next preceding the transfer; but the Commission may waive this latter requirement in cases of transfer from the Isthmus of Panama or where the person has been separated within a year from a competitive position after six months' service therein, upon the certificate of the proper officer that the separation was caused by necessary reduction of force and not by inefficiency, and may allow transfer to any other department or office upon his passing an examination prescribed by the Commission testing his efficiency for the position to which his transfer is proposed, subject to the other provisions of this rule."

The purpose of this order is to give to employees in the Canal Service who are otherwise eligible the same consideration as is accorded to employees in the classified Philippine Service who have rendered at least three years of meritorious service in the Tropics.

WM H TAFT

THE WHITE HOUSE, *September 16, 1910.*

By virtue of the authority vested in me, I hereby establish the following Executive Order for the Canal Zone Government;

SECTION 1. The office of District Tax Collector, created by paragraph two of the Executive Order effective April 15, 1907, is hereby abolished.

SECTION 2. The duties heretofore discharged by the District Tax Collectors shall be performed by the Collector of Revenues in person or by duly appointed deputies, provided that there shall be a Deputy Collector of Revenues assigned to each Administrative District, who, under the direction and supervision of the Collector of Revenues shall exercise and perform the duties of the Collector of Revenues within the respective districts. The Collector of Revenues shall have such additional deputies, assistants and other help as are now assigned to him or may hereafter be assigned to him by competent authority.

The existing laws relating to the execution of official bonds by the Collector of Revenues and his deputies shall not be affected in any manner by this order.

SECTION 3. Taxes and penalties assessed against real estate or the improvements thereon shall constitute a lien on such property which shall be superior to all other liens, mortgages or encumbrances of any kind whatsoever and shall be enforceable against the property whether in the possession of the delinquent or any subsequent owner and can be discharged only by the payment of the taxes, a penalty of twenty per cent. (20%), and any costs that may have accrued.

SECTION 4. A statement showing the persons delinquent for taxes in the respective districts prepared and signed by the Collector of Revenues and approved by the Head of the Department of Civil Administration and containing the requisites prescribed by Section 54 of Act 7 of the Laws of the Canal Zone enacted September 1, 1904, shall be sufficient warrant for the proceedings to seize and sell property sufficient to satisfy the amount of taxes, penalties and costs due in each case, and the monies acquired by the Collector of Revenues at such sale shall be duly accounted for by him to the Treasurer of the Canal Zone, in like manner as other public monies received by him; and in making returns thereof he shall show the total amount of proceeds received from such sale, the amount of taxes, penalties and costs and any surplus remaining that may have been paid over to the delinquent tax payer for the payment of such surplus.

SECTION 5. The owner of personal property seized may redeem the same from the Collector of Revenues at any time before the sale, but not afterwards, by tendering to him or his deputy the amount of the taxes, penalties and costs up to the time of the tender; the costs to be charged in making such seizure and sale shall only embrace the actual expense of the seizure and preservation of the property pending the sale, and no charge shall be imposed for the services of the collecting officer.

The purchaser at a tax sale of personal property shall acquire an indefeasible title to the property sold, and the officer making the sale shall execute a bill of sale of such property to the purchaser.

SECTION 6. The provisions of said Act 7 of the Canal Zone Laws, relating to the forfeiture of real estate and other immoveable property to the municipalities, formerly existing, in default of bidders at tax sales, and the procedure therein established in such cases, and the conditions therein prescribed in respect to the redemption of such property by the delinquent tax payers, and the execution of deeds to the municipalities thereunder when the property was not duly redeemed shall apply hereafter to the Canal Zone Government, and the property shall pass to the Canal Zone Government in default of bidders at such tax sales, in like manner and form as it did to the abolished municipalities under the said Act 7.

SECTION 7. Deeds conveying title to real estate or to improvements thereon executed by the Collector of Revenues or his deputies to private persons or to the Canal Zone Government under tax sales pursuant to law, shall convey all right, title, and interest of the delinquent tax payer in and to the property sold, on the date of such sale, and shall be entitled to registration in the real estate records of the district in which the property is situated.

SECTION 8. All the provisions of said Act 7 of the Canal Zone Laws relating to the levy, assessment and payment of taxes and the enforced collection thereof which conferred powers and imposed duties on the officials of the abolished municipalities shall be held to apply to the Collector of Revenues, and, hereafter, he shall exercise and discharge all of said powers and duties in person or through his deputies in the respective administrative districts.

SECTION 9. All laws, orders or decrees in conflict with this order are hereby repealed, but the repeal shall not affect any action or procedure that may have been taken or had under preexisting laws and such action or procedure if not terminated shall be proceeded with in conformity with this order as near as may be; and, provided further, property now delinquent for taxes may be sold to satisfy the taxes due thereon under the provisions hereof in like manner as may be done with property becoming delinquent hereafter.

SECTION 10. Nothing in this Executive Order shall be held to deprive the Chairman and Chief Engineer or the Head of the Department of Civil Administration from exercising any power or authority now conferred on them, or either of them, by law in relation to the appointment of officers and employees, or the supervision of the work of officers and employees responsible or reporting to them, or to either of them.

WM H TAFT.

THE WHITE HOUSE, *October 4, 1910.*

ISTHMIAN CANAL COMMISSION,
OFFICE OF CHAIRMAN AND CHIEF ENGINEER,
CULEBRA, CANAL ZONE, *October 4, 1910.*

The Department of Law, created by the Executive Order of January 6, 1908, establishing an organization under the Isthmian Canal authorities, shall be under the direction of the Counsel and Chief Attorney, subject to the supervision of the Chairman and Chief Engineer.

In addition to the powers and duties assigned to him by the Executive Order of April 16, 1910, the Counsel and Chief Attorney shall be charged with the general supervision of the legal matters pertaining to the Commission, including the acquisition of right of way and the adjustment of land damages.

GEO. W. GOETHALS,
Chairman and Chief Engineer.

Approved October 4, 1910.

ROBERT SHAW OLIVER,
Acting Secretary of War

WAR DEPARTMENT, *Washington, D. C.*

TO PRESCRIBE THE MANNER OF LEASING PUBLIC LANDS IN THE
CANAL ZONE.

By virtue of the authority vested in me I hereby establish the following order for the Canal Zone:

SECTION 1. The Isthmian Canal Commission is hereby authorized and empowered to establish rules and regulations, from time to time, for the leasing of public lands in the Canal Zone, in accordance with the provisions of the Act of Congress, approved February 27, 1909, and entitled: "An act relating to the use, control and ownership of lands in the Canal Zone, Isthmus of Panama."

SECTION 2. The leases for public lands authorized to be made under said Act of Congress shall be executed by the officer in charge of the Land Office of the Canal Zone Government, with the approval of the Head of the Department of Civil Administration: but the Isthmian Canal Commission, with the approval of the Secretary of War may designate some other officers to execute or approve such leases, when, in the opinion of the Commission it is necessary or convenient to do so.

WM H TAFT.

THE WHITE HOUSE, *October 7, 1910.*

WAR DEPARTMENT,
Washington, January 5, 1911.

Orders:

1. By direction of the President, it is ordered that the first proviso of section 1 of the Order issued by the Secretary of War, by direction of the President, on December 3, 1904, which was promulgated in Circular No. 4, Isthmian Canal Commission, December 30, 1904, be amended to read as follows:

“Provided, however, That this order shall cease to be operative—

“First. If the Republic of Panama should at any time increase the rate of duty on imported articles described in class 2 of the Act of the National Convention of Panama passed July 5, 1904, and effective October 12, 1904, above fifteen per centum ad valorem, provided for in said Act; or if the said Republic should increase at any time the rates of duty on the imported articles described in the other schedules of said Act, except on all forms of imported wines, liquors, alcohols and opium, upon which the Republic may fix higher rates.

“Second. If Article thirty-eight of the Constitution of the Republic of Panama, as modified by Article one hundred and forty-six thereof, is repealed or modified at any time in so far as the importation and sale of all kinds of merchandise are concerned.

“Third. If the consular fees and charges of the Republic of Panama, in respect to the entry of all vessels and importations into the said ports of Colon and Panama, are increased beyond the rates now in force,—which rates are understood to be sixty per centum of the rates in force prior to the promulgation of said order of December 3, 1904; or,

“Fourth. If goods imported into the ports of Colon and Panama, consigned to or designated for any port in the Canal Zone, are at any time subjected in the Republic of Panama to any other direct or indirect impost or tax whatever.”

2. Paragraph 3 of the Order issued by the Secretary of War, by direction of the President, on January 7, 1905, which contemplates the exclusion from the benefits of the commissaries established and maintained by the Canal Commission of all employees and workmen who are natives of tropical countries is hereby revoked.

J. M. DICKINSON,
Secretary of War.

Under authority vested in me by law, it is ordered:

The Isthmian Canal Commission is hereby authorized to use six-meter French dump cars for the purpose of obtaining gravel from the bed of the Chagres River until July 1, 1911, without equipping such cars with the various safety appliances required by the provisions of Executive Order No. 1002, dated January 6, 1909.

WM H TAFT.

THE WHITE HOUSE, *January 16, 1911.*

TO CREATE A LAND OFFICE FOR THE CANAL ZONE AND FOR OTHER PURPOSES.

By virtue of the authority vested in me, I hereby establish the following Order for the Canal Zone:

SECTION 1. A Land Office for the Canal Zone is hereby created under the jurisdiction of the Department of Law, and subject to the superior direction of the Chairman and Chief Engineer. The Land Office shall be in charge of an official to be known as Land Agent.

SECTION 2. The papers, maps, records, and other documents relating to the lands owned or controlled by the United States in the Canal Zone and the lands auxiliary to the canal in the Republic of Panama outside of the Canal Zone, when not otherwise provided by law, shall be kept in the Land Office in the care and custody of the Land Agent, under such rules and regulations as the Isthmian Canal Commission may establish from time to time.

SECTION 3. It shall be the duty of the Land Agent to render assistance to the Head of the Department of Law in all matters relating to the investigation of land claims and land titles; and under the direction of that officer he shall have the supervision of Government lands to prevent unauthorized intrusions thereon; and shall perform such other duties as may be assigned to him in accordance with law. He shall have such assistants and other help as may be authorized by the Chairman and Chief Engineer.

SECTION 4. The Isthmian Canal Commission may adopt rules and regulations for the government of the Land Office, in conformity with this Order and not inconsistent with the Executive Order of October 7, 1910 entitled: "Executive Order. To prescribe the manner of leasing public lands in the Canal Zone."

SECTION 5. The Isthmian Canal Commission is hereby authorized to enter into an arrangement with the Panama Railroad Company to consolidate the said Company's Land Office with the Land Office hereby created, and by which the papers, maps, records, and other documents affecting the Panama Railroad Company's lands in the Canal Zone and the Republic of Panama may be transferred to the Land Office created by this Order, there to be kept in the custody of the Land Agent for the use and benefit of the Railroad Company; and the arrangement so made may provide that the work now done by the personnel in the Panama Railroad Company's Land Office, including land surveys and investigation of land claims, may be done by the Government Land Agent and other personnel of the Canal Commission.

The arrangement hereby authorized shall be effected upon such terms, in respect to reimbursement and other compensation from the Panama Railroad Company to the Commission, as may be agreed upon by the Isthmian Canal Commission and the Panama Railroad Company.

SECTION 6. This Order shall take effect thirty days from and after this date.

WM H TAFT.

THE WHITE HOUSE, *January 19, 1911.*

TO PROVIDE A METHOD OF EXECUTING AND RECORDING DEEDS, AND
TO REPEAL THE EXECUTIVE ORDER DATED MARCH 12, 1907,
EFFECTIVE APRIL 15, 1907, RELATING TO THE SAME SUBJECT.

ARTICLE 1. No conveyance of immovable property or of an interest therein, or a mortgage thereon, shall be effective except by an instrument in writing, executed and delivered between parties competent to contract, and sufficiently describing the property conveyed, or mortgaged, and signed by the person executing the same, or if he is not able to write he shall affix his mark thereto,—and duly acknowledged in accordance with the provisions of this order, before some officer authorized to take acknowledgments, provided, however, that a copy of any instrument in writing, affecting immovable property in the Canal Zone, duly executed before a Notary Public in the Republic of Colombia prior to November 3, 1903, or in the Republic of Panama after said date, and authenticated by the Notary Public charged with the custody of the protocol containing the original deed from which the copy was taken, shall be valid and effective as a conveyance of the lands or interests in the lands therein described.

ART. 2. The acknowledgments provided for in this order shall be made in the manner and form provided for the husband's acknowledgment in the Executive Order of August 20, 1910, entitled "Executive Order.—Conveyance of Real Estate by Married Women."

ART. 3. If for any reason the Grantor in the instrument cannot appear before the officer authorized to take acknowledgments, the execution of such instrument must be attested by not less than two subscribing witnesses, and may be proven by the oath of one of the subscribing witnesses to such instrument, taken before any of the officers authorized to take acknowledgments, to the effect that he subscribed such instrument as a witness at the request of the grantor, who signed the same in his presence, or who acknowledged to him that he had signed the same, for the purposes and consideration therein expressed.

The Certificate of Acknowledgment shall be sufficient if it is substantially in the following form:

The Judicial Circuit }
Canal Zone. }

Before me, in and for; in the Canal Zone, on this day personally appeared known to me (or proven to me on the oath of, a credible witness,) to be the person whose name is subscribed as a witness to the foregoing instrument, and after being duly sworn by me, on his

oath deposes that he subscribed the same as such witness at the request of, the grantor named in the foregoing instrument, and that he saw the grantor execute the same (or that the grantor acknowledged to him that he had executed the same, as the case may be,) for the purposes and consideration therein expressed.

Given under my hand and seal of office this day of A. D.

ART. 4. The officers authorized to take acknowledgments under this order shall issue proper certificates of all acknowledgments taken or proven before them.

ART. 5. The Clerk of the Circuit Court of the First Judicial Circuit of the Canal Zone shall be, *ex officio*, Registrar of Property of the Canal Zone, and it shall be his duty to record all instruments authorized to be recorded by this order, or any other law or order of the Canal Zone, and presented to him for record, in a well bound book or books kept by him for that purpose, and he shall attach a certificate to each deed so recorded by him; which certificate shall state the date and hour of the filing of the instrument for record, as well as the book and page or pages of the record upon which the same is recorded;— and shall be signed by him under his official title, and shall be impressed with his seal. The seal of the Registrar shall contain the words "Registrar of Property of the Canal Zone."

He shall keep an index, direct and cross, of the instruments recorded by him, which shall show the names of the grantor and grantee of each instrument recorded by him, the date of the instrument and the date of the filing of the same, and the book and page or pages in which it is recorded.

ART. 6. It shall be the duty of the Registrar of Property to keep a file docket wherein he shall note the filing of all instruments when presented to him for record, which docket shall contain the names of the parties to the instrument, the date of the same, and the date and hour of its filing in the Registrar's office; and all such instruments shall be deemed to have been recorded from the time of such filing.

ART. 7. No instrument in writing shall be admitted to record in the Registrar's office except such as are acknowledged or authenticated in the manner provided for in this order.

ART. 8. The instruments described in Article 1 of this order, and executed in conformity therewith, as well as the instruments described in the Executive Order of August 20, 1910, entitled "Executive Order.—Conveyance of Real Estate by Married Women", and executed in accordance therewith, shall be admitted to record in the Registrar's Office.

ART. 9. A copy of any Notarial deed relating to property in the Canal Zone, taken from the records in the office of the Registrar of Property of Panama or Colon, Republic of Panama, and recorded therein prior to February 26th, 1904, and duly certified by the

Registrar issuing the same, shall be recorded in the office of the Registrar of Property of the Canal Zone, in like manner as provided for deeds executed in the Canal Zone.

ART. 10. In all cases in which Spanish documents are admitted to registration under the provisions of this order, such documents shall be accompanied by English translations which shall be recorded with them.

ART. 11. A copy of any final judgment or decree of a court of competent jurisdiction of the Canal Zone, vesting the title to immovable property or any interest therein, in one or more of the parties to said judgment or decree, and duly certified by the clerk of the court in which the judgment or decree was rendered, as being a true copy of such judgment or decree as the same appears in the records of the court, shall be admitted to record in the Registrar's office in like manner as provided herein for deeds executed in the Canal Zone.

ART. 12. A copy of a judgment or decree of a court of competent jurisdiction of the Republic of Panama, affecting immovable property situated in the Canal Zone, rendered prior to the 26th day of February 1904, and duly certified by the clerk or secretary of the court rendering such judgment or decree, and by the judge thereof, when the signature of the said judge is authenticated by the Secretary of Foreign Relations of Panama, shall in like manner be admitted to record in the Registrar's office under the provisions of this order.

ART. 13. No deed or other instrument in writing affecting immovable property shall be valid against subsequent creditors of, or bona fide purchasers for value, without notice, from the owner of such property, unless the same shall have been recorded with the Registrar of Property of the Canal Zone.

ART. 14. The Registrar's offices at Empire and Cristobal shall be discontinued on and after the date on which this order goes into effect, and the books and records of immovable property in those offices shall be transferred to the Registrar's office hereby created, and shall become a part of the records of his office: and after this order takes effect all deeds, or other instruments, required to be recorded by the provisions of this order or any other law or order of the Canal Zone, shall be recorded in the office of the Registrar herein provided for.

ART. 15. The Registrar of Property shall be entitled to charge for his services rendered as Registrar, the following fees, United States currency:

For each instrument recorded, including his certificate thereto ten cents per folio of one hundred words: but no charge shall be less than fifty cents for any one instrument.

For each certified copy issued by him of an instrument recorded in his office, including certificate thereto, ten cents per folio of one hun-

dred words: but no charge shall be less than fifty cents for each copy thereof.

For searching his records and giving a certificate thereto of any fact or facts contained in his records, fifty cents for each certificate: provided that where more than one record book is searched he may charge twenty-five cents for each additional book.

The fees so collected by the Registrar of Property shall be turned in by him to the Canal Zone Treasury.

ART. 16. Any instrument in writing mentioned in Article 1 of this order and duly acknowledged or authenticated in the manner therein described, and any deed or other instrument executed and acknowledged in accordance with the provisions of the said order of August 20th, 1910, relating to conveyances by married women, may be used in evidence on the trial of any action or special proceedings without the necessity of proof of its execution unless such instrument is attacked for forgery by the affidavit of the adverse parties: provided, however, that such instrument shall not be admissible in evidence without proof of its execution unless the same or a copy thereof be filed with the clerk of the court wherein such action or special proceeding is pending, and due notice is given to the opposite party or his attorney at least three days before the trial of such action or special proceeding.

ART. 17. A copy of any instrument duly recorded under the provisions of this order and certified to by the Registrar in charge of the record, may be used in evidence in any judicial proceedings in like manner and effect as might be done with the original if produced, provided such certified copy is filed with the clerk of the court wherein the action or proceeding is pending, and due notice of the filing of such copy is given to the adverse party or his attorney at least three days before the trial or proceedings in which the said copy is to be produced in evidence.

ART. 18. All orders or decrees and parts thereof in conflict with this order are hereby repealed, and the Executive Order of March 12, 1907, effective April 15, 1907, relating to the execution and recording of deeds is also hereby repealed: provided, however, that this order shall not affect a deed or other instrument relating to immovable property executed pursuant to the said order of March 12, 1907, prior to the date on which this order shall take effect, and provided further that this order shall not be construed to modify in any manner the Executive Order of August 20th, 1910, relating to the conveyance of real estate by married women.

ART. 19. This order shall take effect sixty days from its date.

WM H TAFT.

THE WHITE HOUSE, *February 2, 1911.*

By authority of the President, it is ordered that the Executive Order of December 23, 1908, limiting the employment and providing for the discharge of aliens, shall not apply to Juan Yampero, a native of the Philippine Islands.

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,
Washington, D. C., March 11, 1911.

JUSTICES OF THE SUPREME COURT.

Under authority vested in me by law, and until otherwise provided by law or ordered, Walter W. Warwick is appointed an Associate Justice of the Supreme Court of the Canal Zone, at a salary of six thousand dollars per annum, effective the day he enters on the duties of the office.

WM. H. TAFT.

THE WHITE HOUSE, *March 16, 1911.*

Under authority vested in me by law, and until otherwise provided by law or ordered, Thomas E. Brown, Jr., is appointed an Associate Justice of the Supreme Court of the Canal Zone, at a salary of six thousand dollars (\$6,000,) per annum, effective the day he enters on the duties of the office.

WM. H. TAFT.

THE WHITE HOUSE, *March 16, 1911.*

On January 1, 1911, for the purposes of economy, certain storehouses of the Panama Railroad Company were consolidated with the storehouse operated by the Quartermaster's Department of the Isthmian Canal Commission and all the employees of the Panama Railroad Company whose services were needed in the consolidated storehouse were transferred to the Isthmian Canal Commission. Among the employees so transferred are Francis E. Huck, Jr., Reuben B. Luker, Edmund Sale, Peter Stuart, and Carl M. Williams, who have been employed as clerks by the Panama Railroad Company for a number of years, during which time they have rendered satisfactory service, and since January 1, 1911, have been temporarily employed under the civil service rules.

These persons may be retained and become a part of the classified force of the Isthmian Canal Commission under section 6 of Civil Service Rule II but with the same restrictions applicable to clerks appointed on the Isthmus without a competitive status, who in order to be transferred must pass a competitive examination and be reached for certification. The classification of these persons is made upon the recommendation of the Isthmian Canal Commission with the concurrence of the Secretary of War and the Civil Service Commission.

WM. H. TAFT.

THE WHITE HOUSE, *March 20, 1911.*

By virtue of the authority invested in me, I hereby establish the following Order for the Canal Zone:

ARTICLE 1. If any person after having been convicted and having served a sentence of imprisonment in the Canal Zone, and after being deported therefrom, returns to the Canal Zone, he shall be deemed guilty of a felony and punished by imprisonment in the penitentiary for one year, and thereafter removed from the Canal Zone in accordance with the laws and orders relating to deportation.

ART. 2. This order shall take effect from and after this date.

WM. H. TAFT.

THE WHITE HOUSE, *May 2, 1911*

RELATING TO THE ARREST AND DISCHARGE OF DESERTING SEAMEN.

By virtue of the Authority vested in me, I hereby establish the following Order for the Canal Zone:

1. If any seaman who shall have signed a contract to perform a voyage shall absent himself from an American vessel at any port or place in the Canal Zone, without leave of the master, or officer commanding in the absence of the master, such master or the Collector of Revenues or his deputy acting as the Shipping Commissioner may make complaint against such absent seaman to the judge of any Circuit Court of the Canal Zone, who thereupon shall issue his warrant against the seaman complained of in order that he may be brought before him to answer the complaint; and, after a hearing before said judge, if it shall appear that the seaman had signed a contract to perform a voyage on the vessel and that the voyage agreed for is not finished or altered, or that the contract was not otherwise dissolved, and that such seaman has deserted the vessel, or absented himself therefrom without leave, the judge shall commit him to jail to remain there until the vessel shall be ready to proceed on her voyage, or until the master shall require his discharge, and then to be delivered to the master, the latter paying all the costs of such commitment which may be deducted by him from the wages due to such seaman.

2. If it shall appear on the hearing hereinbefore provided for that the voyage of the vessel is continued contrary to agreement, or that the vessel is badly provisioned, or unseaworthy, or that the officers of the ship have been guilty of cruel treatment toward the seaman, he shall be discharged and the judge shall require the master to pay to such seaman one month's wages over and above the wages due at the time of discharge, and to provide him with adequate employment on board some other vessel, or provide him with a passage on board some other vessel bound to the port from which he was originally shipped, or to the most convenient port of entry in the United States, or to a port agreed to by the seaman, and the seaman shall have a lien on the vessel to compel compliance with the order of the judge, who shall have authority to issue all writs necessary to enforce his jurisdiction; and the judge shall cause to be entered upon the crew list and shipping articles and official log the cause of discharge and the particulars in which the cruel or unusual treatment consisted, and shall cause his name to be subscribed thereto officially, and shall cause the entry made in the official log to be read to the master. The latter's reply thereto, if any, shall likewise be caused to be entered and subscribed in the same manner.

3. If any consul or vice-consul of any foreign government, who is commissioned to the government of the Republic of Panama and is recognized by the United States in the Canal Zone, such foreign government having a treaty with the United States, or with the Republic of Panama, stipulating for the restoration of seamen deserting, shall make application in writing stating that the person therein named has deserted from a vessel of any such government while in any port of the Canal Zone, and shall furnish proof by the exhibition of the register of the vessel, ship's roll, or other official document, that the person named belonged, at the time of the desertion, to the crew of such vessel, it shall be the duty of any judge of any Circuit Court of the Canal Zone, to issue warrants to cause such person to be arrested for examination. If, on examination, the facts stated are found to be true, the person arrested, not being a citizen of the United States, or of the Republic of Panama, shall be delivered up to the consul or vice-consul, to be sent back to the dominions of any such government, or, on the request and at the expense of the consul or vice-consul, shall be detained until the consul or vice-consul finds an opportunity to send him back to the dominions of any such government. No person so arrested shall be detained more than two months after his arrest; but at the end of that time shall be set at liberty, and shall not be again molested for the same cause. If any such deserter shall be found to have committed any crime or offense, his surrender may be delayed until the tribunal before which the case shall be pending, or may be cognizable, shall have pronounced its sentence, and such sentence shall have been carried into effect.

4. This Order shall take effect from and after this date.

WM. H. TAFT.

THE WHITE HOUSE, *May 6, 1911.*

GOVERNMENT OF THE INSANE ASYLUM FOR THE CANAL ZONE.

By virtue of the authority vested in me I hereby establish the following Executive Order for the Canal Zone:

SECTION I. The Asylum for the Insane at Ancon, as heretofore, shall be under the jurisdiction of the Department of Sanitation. The object of said Asylum shall be the curative treatment of the insane.

SEC. II. The Superintendent of the Ancon Hospital shall be the administrative chief of the Asylum for the Insane, subject to existing laws and orders, and to such rules and provisions as may be issued by the Department of Sanitation in accordance with existing laws and orders. He shall be in charge of the general inspection of buildings, grounds and equipment, and shall have the supervision over the professional and administrative personnel of the Asylum and over the inmates, and shall satisfy himself that all patients receive the care and medical treatment which is best adapted to their comfort and recovery.

He shall see that a proper register of the patients is kept, showing their names, previous residence, occupation, origin and antecedents, and condition at the time of admission, and their mental and physical condition, as well as their medical treatment during the time of their stay in the Asylum shall be recorded. The death or discharge of patients shall be entered in the register.

SEC. III. No person declared to be insane shall be kept in a jail, prison, hospital for the sick or other similar institution, but shall be sent, with the proper precautions, to the Asylum for the Insane herein provided for.

SEC. IV. The Superintendent of Ancon Hospital, through the physician in charge of the Insane Asylum, may discharge any patient upon filing in his office a written statement that in his judgment such patient has recovered, or that the discharge will not be detrimental or dangerous to the public welfare or injurious to the patient, provided, that before discharging any patient who has not recovered the Superintendent shall satisfy himself by adequate investigation that the relatives or friends of the patient are able and willing to receive and care for such patient.

No patient shall be discharged without suitable clothing.

The discharges referred to in this section do not apply to commitments on judicial orders in criminal cases, in which cases the discharges can be granted only by the Court which directed the commitment of the prisoner.

SEC. V. No person shall be admitted as a patient in the Asylum for the Insane except upon the order of a Circuit Judge of the Canal Zone, provided, that if a patient is in a state of violent insanity he may be admitted at once into the quarters hereinafter provided for the observation of persons alleged to be insane, without an order of court, upon the written request of the District Physician to the Superintendent of Ancon Hospital; or the patient may be admitted to the observation quarters by said Superintendent without such request, in the absence of the District Physician.

It shall be the duty of the Superintendent of Ancon Hospital to report the case in writing to the Circuit Judge, within twenty-four hours after the patient has been admitted to the observation quarters, and as soon as the Judge shall have received the report he shall proceed to examine and determine the case in like manner as if the petition had been presented to him prior to the patient's admission into observation quarters.

SEC. VI. To obtain the judicial order provided for in the preceding section it shall be necessary for the nearest relative of the person alleged to be insane to present a petition, duly subscribed and sworn to by the petitioner, to the Judge of any Circuit Court of the Canal Zone, which petition shall state the sex, age and nationality, if known, of the patient, and the facts showing his mental infirmity, and, if possible, the history of the case and the form of insanity with which he is suffering and the attending circumstances making it necessary that he be confined in the Asylum. The petition shall be accompanied by a certificate signed by one or more reputable physicians to the effect that such person is insane.

When the nearest relatives of the person alleged to be insane are absent or refuse to act the petition may be made by the District Judge of the District in which the patient resides or is to be found, at the time the application is made, and in that event it shall state that the nearest relatives of the person alleged to be insane are absent or refuse to act.

SEC. VII. The petition provided for in the preceding section shall take precedence over all other matters pending before the court and shall be heard by the judge thereof without delay, and if the facts stated therein are sufficient to satisfy him of the insanity of the person sought to be confined he shall issue orders at once directing that the person alleged to be insane be taken into custody and placed in quarters hereinafter provided, for the proper observation of the case.

The order of the Judge directing that the person alleged to be insane be placed under observation shall be sufficient authority for the Superintendent of the Asylum to admit the patient into the institution for the purposes of observation, there to remain until the observation is concluded; and the Judge shall direct in said order

that if the observation shall show that the patient is not insane he shall be set at liberty at once, and the medical officer in charge of such observation shall forthwith report his action thereon to the judge who issued the order.

The observation of the alleged insane person shall be made in suitable quarters within the asylum grounds, by the chief medical officer thereof, or under his direction, and shall be for a period of not more than thirty days, and the judge who issued the order for the detention of the patient may require the medical officer in charge of the case to make reports thereon to him from time to time.

SEC. VIII. The observation provided for in this law may be carried on at the residence of the alleged insane person, when, in the opinion of the Judge, that may be done with safety to the patient and the public: and in such cases the Judge may impose such limitations and conditions as in his judgment the interest of the patient and the safety of the public demand.

SEC. IX. It shall be the duty of the physician in charge of the observation to examine the patient and observe the symptoms of his case: within thirty days after the patient is placed under observation the medical officer in charge of the case shall make his report thereon in writing, and shall state whether the patient is sane or insane. The report shall contain a statement of the facts upon which it is based, and shall be sent to the court having jurisdiction of the case, within twenty-four hours after the same has been subscribed by him.

SEC. X. It shall be the duty of the Judge having jurisdiction of the case, within twenty-four hours after the receipt of the report provided for in the preceding section to render judgment therein, either committing the patient to the Asylum for the Insane or directing that he be turned over to his relatives, able and willing to take care of him, or to order his discharge, in accordance with the findings of the medical officer in charge of the case.

SEC. XI. The relatives of the person alleged to be insane, or the Public Prosecutor, may appear and contest the report of the medical officer, and in such cases the Judge shall hear the evidence presented by the parties and render judgment thereon, either committing the patient to the asylum or directing his discharge as the law and the facts in the case may justify.

SEC. XII. From the judgment of the court rendered in accordance with the preceding section either of the parties may appeal to the Supreme Court of the Canal Zone, which court shall hear and dispose of the case with all reasonable despatch, giving it precedence over all other matters pending therein.

When an appeal is taken the trial court shall issue such orders as it may deem necessary and proper for the custody and safe-keeping of the patient during the hearing of the appeal.

Any person interested in an inmate of the Asylum, who believes he is improperly detained therein, may make application to the Circuit Judge of the First Judicial Circuit for the discharge of such patient. Upon the receipt of such application the Judge shall issue an order to the Superintendent of Ancon Hospital to make a report on the patient's condition, and upon the receipt of such report the Judge shall consider the same, and, in his discretion, may grant or deny the application. Should the Judge be in doubt as to the proper action to take he may cause the patient to be examined by two competent physicians who shall report to the Judge in writing as to whether the patient should be released or detained in the Asylum. If the physicians recommend the detention of the patient the court may deny the application; should they recommend his release the Judge may grant the petition and discharge the patient at once.

The relatives or friends of the patient or the Public Prosecutor, if dissatisfied with the ruling of the Judge may appeal therefrom to the Supreme Court of the Canal Zone, which Court shall dispose of the appeal as in ordinary cases provided for under this Order; and pending the appeal the trial court may make such orders relating to the custody of the patient as may best subserve the interests of the patient and the public.

If the insane person shall be serving a sentence for the violation of the criminal laws, the Circuit Court of the Circuit wherein the conviction shall have been had shall have jurisdiction of the petition for the discharge of the patient from the Asylum.

SEC. XIII. The order of the Judge directing that the patient be admitted to the Asylum for the Insane for care and treatment shall also provide that the marshal, or police officer acting as marshal of the court, shall convey the patient promptly under proper escort to the Asylum.

SEC. XIV. If any person confined in a prison or penitentiary under the sentence of a court becomes insane he shall be committed to the Asylum for the Insane by the Judge of the Circuit Court of the Circuit wherein the patient received his sentence of conviction. In all such cases the provisions of this order, relating to the period of observation of the patient and the trial of the issue as to his insanity shall be observed, provided however, that the period of observation shall be carried out in the infirmary of the prison or penitentiary, unless the Judge, on the advice of the Department of Sanitation is of the opinion that it should take place elsewhere. Whenever a person is committed to the Insane Asylum under the provisions of this section, the order of commitment issued by the court shall include a statement of the offense of which the person was convicted, the term of his imprisonment and the date upon which said term is to expire. Should such person be discharged from the insane asylum before the

date of the expiration of his term of imprisonment he shall be returned to the penal institution from which he was taken, in order that he may finish his term; and shall be set at liberty if his discharge from the Asylum takes place subsequent to the date of the expiration of his term of imprisonment.

SEC. XV. All expenses connected with cases of insanity, including the cost of observation, transportation, care, treatment and maintenance of the patients, shall be borne by their respective estates, to be paid in due order of administration of their estates in accordance with the probate laws of the Canal Zone, and if the patients are insolvent then the expense shall be borne by the relatives responsible for the care and maintenance of such patients under the law to be recovered by the Isthmian Canal Commission against such relatives in any court of competent jurisdiction; and if the relatives of the patients are also insolvent then such expenditure shall be paid out of the public moneys appropriated for such purposes.

SEC. XVI. Nothing contained in this Order shall be construed to repeal or modify the provisions of the Code of Criminal Procedure of the Canal Zone relating to the inquiry into the insanity of the defendants before trial or after conviction.

SEC. XVII. Insane patients from the Republic of Panama may be admitted into the Asylum for the Insane, herein provided for, in accordance with the existing agreements between the Canal Zone authorities and the Panamanian authorities, or under such changes and modifications of said agreements as may be made from time to time.

SEC. XVIII. The Canal Commission is hereby authorized to establish rules and regulations from time to time as may be deemed necessary for the government of the Asylum for the Insane herein provided for, subject to the approval of the Secretary of War.

SEC. XIX. This order shall take effect thirty days from this date.

WM. H. TAFT.

THE WHITE HOUSE, *May 10, 1911.*

By virtue of the authority in me vested, I hereby establish the following Order for the Canal Zone:

SECTION I. Any person who shall board any passenger, freight or other railway train in the Canal Zone, whether moving or standing, for any purpose and without in good faith intending to become a passenger thereon, and with no lawful business thereon, and with intent to obtain a free ride on such train, however short the distance, without the consent of the person or persons in charge thereof, shall be guilty of a misdemeanor, and shall be punished by fine of not less than five dollars nor more than twenty dollars.

SEC. II. This Order shall take effect thirty days from this date.

WM. H. TAFT.

THE WHITE HOUSE, *May 11, 1911.*

TO PROVIDE FOR THE COLLECTION OF A DISTILLATION TAX.

By virtue of the authority vested in me, I hereby establish the following order for the Canal Zone:

SECTION I. On and after the date on which this order shall take effect, there shall be collected the sum of ten cents on each and every litre or fraction thereof of distilled spirits produced in the Canal Zone from grain, starch, sugar, molasses or any other substance by distillation, or any other alcoholic liquors produced by distillation, for sale or consumption.

SECTION II. Manufacturers or distillers of any of the spirits or alcoholic liquors mentioned in the preceding section shall make application in writing to the Collector of Revenues of the Canal Zone, upon a form prescribed by him, for license to engage in business as such manufacturers or distillers. No application shall be granted by the Collector of Revenues unless the applicant secures the payment of the taxes that may accrue under the provisions of this law by executing a bond with two or more good and sufficient sureties to the satisfaction of the Collector of Revenues, conditioned upon the applicant's faithful compliance with this order and the regulations issued thereunder, and that he will pay all taxes that may be assessed against him under this order; or in lieu of said bond the Collector of Revenues, in his discretion, may require a money deposit from such applicant to secure the payment of such taxes. The said bond or deposit, as the case may be, to be subject to such rules and regulations in conformity herewith as the Isthmian Canal Commission may from time to time establish.

SECTION III. The tax herein provided for shall be computed upon a meter measurement of the output of each still made through a meter of standard make, which shall be attached to the still under the supervision of the Collector of Revenues, or his Deputy, and in a manner satisfactory to said officer, and at the expense of the owner or operator of said still; and the Collector of Revenues shall withhold the license for the operation of said still until the said meter has been attached thereto in the manner herein provided for.

SECTION IV. The licensed manufacturer or distiller under this law shall be permitted to sell or otherwise dispose of the output of his still, at his place of manufacture or production, in quantities of not less than five gallons without the payment of any further license tax than that prescribed by this order.

SECTION V. Any person manufacturing or distilling any of the spirits or alcoholic liquors herein enumerated before obtaining a license to do so from the Collector of Revenues, or before installing the meter herein prescribed, or who shall tamper with any still or meter or connection thereof with intent to defraud the Revenues of the Canal Zone, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding One Thousand Dollars (\$1,000) or by imprisonment in the District Jail for a term not exceeding twelve (12) months, or by both such fine and imprisonment, within the discretion of the court.

SECTION VI. The Isthmian Canal Commission may from time to time establish such rules and regulations as may seem necessary to execute the provisions of this order.

SECTION VII. All laws, orders or decrees in conflict with the provisions of this order are hereby repealed.

SECTION VIII. This order will be effective thirty days from this date.

WM. H. TAFT

THE WHITE HOUSE, *May 13, 1911.*

By virtue of the authority vested in me, the order of May 13, 1911, providing for the collection of a distillation tax in the Canal Zone, is hereby amended so as to be effective August 13, 1911.

WM. H. TAFT.

THE WHITE HOUSE, *June 12, 1911.*

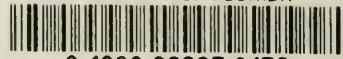
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